

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF ALABAMA**  
**REGULAR SESSION**  
**OF 1971**

**HELD IN THE CITY OF MONTGOMERY**  
**COMMENCING TUESDAY, MAY 4, 1971**



**Vol. 2**

**WITH AN INDEX PREPARED BY THE**  
**SECRETARY OF THE SENATE**

Brown Printing Company  
Printers—Binders  
Montgomery, Alabama

Copyright 1971  
State of Alabama



**JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF ALABAMA  
REGULAR SESSION OF 1971**

---

**TWENTY-FOURTH LEGISLATIVE DAY**

**THURSDAY, AUGUST 5, 1971**

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

**PRAYER**

The Session was opened with prayer by the Reverend Robert A. Gramp, Assistant Minister, Trinity Presbyterian Church, Montgomery, Alabama.

**ROLL CALL**

Present:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Clark	Hammond	McLain	Vacca
Cook	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones	Owen	

—34

**JOURNAL**

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-third Legislative Day was approved by the Senate.

## LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. Cooper for today.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 330. Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. J. R. 111. Relative to the naming of any new, reconstructed or renovated bridge or bridges across the Tombigbee River at Moscow.

Also:

H. J. R. 114. Naming the bridge on Cullman County Road Number 15 which crosses L. M. Smith Lake in honor of Mr. John Phillips.

Also:

H. J. R. 110. HONORING DR. ALSTON CALLAHAN FOR SERVICES AND OUTSTANDING WORK DONE IN BIRMINGHAM, ALABAMA.

Also:

H. 138. To amend Code of Alabama 1940, Title 8, Section 85 relating to birds that may be killed at any time.

Also:

H. 21. To amend Section 29, Title 46, Code of Alabama, 1940, as amended, relating to the admission fee paid by applicants for admission to the State Bar.

JOHN W. PEMBERTON,  
Clerk.

## SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their

titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, and House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 879. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an Act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, so as to provide that said license inspector shall be appointed by majority vote of the county governing body and to provide that his salary shall be established by the board of the Mobile County Civil Service System.

Also:

H. 896. To repeal Act No. 826, H. 1065, approved September 8, 1961, entitled, "An Act relating to counties having populations of not less than 40,000 nor more than 45,000 inhabitants; to direct the county governing body to adjust the compensations of certain county officers." (Acts of Alabama 1961, vol. II, p. 1211).

Also:

H. 897. To repeal Act No. 265, H. 46, approved September 15, 1961, entitled, "An Act further regulating the meetings of the county board of registrars in all counties having populations of not less than 38,000 nor more than 45,000." (Acts of Alabama 1961, vol. II, p. 2281).

Also:

H. 898. To repeal Act No. 84, H. 145, approved July 9, 1962, entitled, "An Act relating to counties having populations of not less than 40,000 nor more than 45,000; to provide additional compensation for the chief deputy and all other deputy sheriffs of all such counties." (Acts of Alabama, 1962, Special Session, p. 109).

Also:

H. 899. To repeal Act No. 415, S. 439, approved September 4, 1963, entitled, "An Act relating to counties having populations of not less than 38,000 nor more than 45,000, providing for the compensation of members of the jury commissions in such counties." (Acts of Alabama, 1963, vol. II, p. 920).

Also:

H. 900. To repeal Act No. 156, S. 137, approved August 28, 1964, entitled, "An Act relating to counties having populations of not less than 38,000 nor more than 45,000; to provide for the payment of per diem allowances to members of boards of registrars in such counties." (Acts of Alabama, 1964, Special Session, p. 220).

Also:

H. 901. To repeal Act No. 73, S. 75, approved March 22, 1965, entitled, "An Act authorizing the appointment of juvenile court officers in counties having populations of not less than 38,000 nor more than 45,000, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama, 1965, Special Session, vol. I, p. 88-89).

Also:

H. 217. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution, and to prescribe penalties for violation of this Act.

Also:

H. 225. Relating to Marion County, Alabama, providing for a secretary-stenographer for the Courts of such county, prescribing the means of appointment, the duties and compensation therefor.

Also:

H. 227. Relating to Marion County; providing an additional expense allowance for the members of the governing body of said county.

Also:

H. 251. To provide that school bus drivers in counties having a population of not less than 16,600 nor more than 16,950, according to the most recent federal decennial census, shall not be required to meet any minimum age requirements so long as they are duly licensed drivers and meet all other requirements of general law.

Also:

H. 376. Relating to counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Also:

H. 419. To fix the compensation of the Assistant District Attorney in counties having a population of not less than 16,600 nor more than 16,950.

Also:

H. 423. To amend the title and Section 1 of Act No. 764, H. 1463, Regular Session 1961 (Acts 1961, p. 1091), which Act provides further for the compensation of the jury commission in certain counties classified on a population basis.

Also:

H. 425. To amend the title and Section 1 of Act No. 396, H. 1025, Regular Session 1969 (Acts 1969, p. 771), which Act relates to the meetings of boards of registrars of certain counties classified on a population basis.

Also:

H. 426. To amend the title and Section 1 of Act No. 31, H. 3, First Special Session 1963 (Acts 1963, p. 102), which Act regulates further the conduct of certain municipal elections in certain cities classified on a population basis.

Also:

H. 427. To amend the title and Section 1 of Act No. 472, H. 596, Regular Session 1967 (Acts 1967, p. 1162), which Act provides for an allowance for clerical assistance for tax assessors in certain counties classified on a population basis.

Also:

H. 474. To further amend the title and Section 1 of Act No. 409, H. 809, Regular Session 1955 (Acts 1955, p. 954), as last amended which provides for the furnishing of equipment, supplies, and additional clerks to the tax assessor and tax collectors of certain counties classified on a population basis.

Also:

H. 476. To further amend the title and Section 1 of Act No. 42, S. 73, Special Session 1964 (Acts 1964, p. 61), which Act provides for regulating the compensation of members of the county commission of certain counties classified on a population basis.

Also:

H. 477. To amend the title and Section 1 of Act No. 361, S. 530, Regular Session 1967 (Acts 1967, p. 922), which Act provides for the creation of departments of engineering for certain counties classified on a population basis.

Also:

H. 708. To amend the title and Section 1 of Act No. 482, H. 873, Regular Session 1961 (Acts 1961, p. 542), which Act provides further for forest protection districts in certain counties classified on a population basis.

Also:

H. 709. To amend the title and Section 1 of Act No. 32, S. 17, Special Session 1962 (Acts 1962, p. 42), which Act provides further for the employment for a deputy clerk in the office of clerk of the circuit court in certain counties classified on a population basis.

Also:

H. 710. To amend the title and Section 1 of Act No. 343, H. 857, Regular Session 1963 (Acts 1963, p. 834), which Act provides for the appropriation of county funds to municipal industrial development boards within or without certain counties classified on a population basis.

Also:

H. 711. To amend the title and Section 1 of Act No. 33, S. 18, Special Session 1962 (Acts 1962, p. 43), which Act provides further for the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of certain counties classified on a population basis.

Also:

H. 712. To amend the title and Section 1 of Act No. 45, H. 68, Second Special Session 1963 (Acts 1963, p. 213), which Act provides further for the compensation and allowance of certain election officers in certain counties classified on a population basis.

Also:

H. 713. To amend the title and Section 1 of Act No. 46, H. 69, Second Special Session 1963 (Acts 1963, p. 213), which Act provides further for a clerk-hire allowance for certain officers in certain counties classified on a population basis.

Also:

H. 714. To amend the title and Section 1 of Act No. 30, S. 15, Special Session 1962 (Acts 1962, p. 41), which Act provides further for the appointment of a deputy sheriff in certain counties classified on a population basis.

Also:

H. 715. To amend the title and Section 1 of Act No. 100, H. 303, Regular Session 1963 (Acts 1963, p. 484), which Act provides further for the salary or compensation of school bus drivers in certain counties classified on a population basis.

Also:

H. 716. To amend the title and Section 1 of Act No. 85, H. 116, Regular Session 1963 (Acts 1963, p. 464), which Act prescribes the amount of the official bond required of the tax collector in certain counties classified on a population basis.

Also:

H. 717. To amend the title and Section 1 of Act No. 153, H. 541, Regular Session 1965 (Acts 1965, p. 218), which Act provides an expense allowance for members of the board of education in certain counties classified on a population basis.

Also:

H. 718. To amend the title and Section 1 of Act No. 254, H. 763, Regular Session 1969 (Acts 1969, p. 586), which Act provides further for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in certain counties classified on a population basis.

Also:

H. 719. To amend the title and Sections 1 and 2 of Act No. 31, S. 16, Special Session 1962 (Acts 1962, p. 42), which Act provides further for the compensation of members of the county board of education in certain counties classified on a population basis.

Also:

H. 720. To amend the title and Section 1 of Act No. 387, H. 969, Regular Session 1969 (Acts 1969, p. 764), which Act provides further for the issuance of pistol permits in certain counties classified on a population basis.

Also:

H. 721. To amend the title and Section 1 of Act No. 603, H. 689, Regular Session 1967 (Acts 1967, p. 1393), which Act provides further for the compensation of the chairman and members of the court of county commissioners of certain counties classified on a population basis.

Also:

H. 722. To amend the title and Section 1 of Act No. 436, H. 952, Regular Session 1963 (Acts 1963, p. 967), which Act levies a tobacco tax in certain counties classified on a population basis.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 173. To make an additional appropriation from the General Fund in the State treasury to the Governor's Commission on Drug Abuse.

Also:

H. 65. To further regulate corporations of the type commonly known as 'private foundations' so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

Also:

H. 66. To further regulate certain trusts in the nature of private foundations or split interest trusts as these terms are employed in the Act of Congress known as the Tax Reform Act of 1969 so as to conform the operations thereof to the applicable provisions of the United States Internal Revenue Code of 1954 as amended by said Tax Reform Act of 1969, and to repeal that portion of any laws of this State in conflict herewith.

Also:

H. 115. To amend Sections 1 and 2 of Title 27, Code of Alabama 1940, so as to require under certain conditions that a birth certificate shall accompany a petition for adoption, and so as to relieve the Department of Pensions and Security of certain responsibilities in relation to step-parent and other relative adoptions, and to amend Act No. 294, page 2351, and Act No. 297, page 2357, Acts of Alabama 1961, to so relieve said Department.

Also:

H. 200. To allow certain County Engineers, who have heretofore participated in the Employees Retirement System of Alabama only to the extent of Highway Department participation in their salaries, to receive full prior service and membership service credits provided the counties employing such County Engineers agree to and provide the

funds necessary for such additional participation under such rules and regulations as the Board of Control of the Employees' Retirement System of Alabama may prescribe.

JOHN W. PEMBERTON,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 330. Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

JOHN W. PEMBERTON,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 2. To authorize and provide for the promotion of the production, marketing, use and sale of soybeans and soybean products by research, education, advertising and other methods; and prescribing a method whereby soybean producers may act jointly with handlers, buyers, processors, the State Board of Agriculture and Industries, and others, for a promotional program; providing that producers may by referendum levy upon themselves assessments for financing a promotional program and for the collection, disbursements and expenditures of funds collected from assessments, the regulations, requirements and authority relative thereto; providing for nonassessments, or refund of assessments; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to a promotional program for the soybean producers of Alabama; and providing for the administration thereof by a nonprofit association which is fairly and substantially representative of the producers of soybeans throughout the State; and providing for collection and distri-



bution of assessments by dealers, handlers, and buyers of soybeans; requiring an annual permit of such dealers, processors, and other buyers; and other administrative, enforcement, promotional, and penalty provisions.

Also:

H. 286. To authorize and provide for the promotion of the production, marketing, use and sale of milk and milk products by research, education, advertising and other methods; prescribing a method whereby milk producers may act jointly with distributors, producer-distributors, processors, and handlers of milk, the State Board of Agriculture and Industries and others for such a promotional program; to provide that milk producers may by referendum levy upon themselves monetary assessments for financing a promotional program and provisions for the collection, disbursement and expenditure of funds collected therefrom, the regulations, requirements and authority relative thereto; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries relating to such a promotional program; and providing for the administration thereof by a non-profit association; providing for the collection of assessments by distributors, producer-distributors, processors and handlers of milk; providing for refunds of assessments to producers not desiring to participate in the promotional program; and for the adoption of administrative rules and regulations, other administrative, enforcement and penalty provisions.

Also:

H. 288. To extend, alter and rearrange the boundary lines and corporate limits of the City of Talladega, Talladega County, Alabama.

Also:

H. 289. To authorize the director of conservation to declare open season on the killing of beavers under certain conditions and to provide for the payment of bounty therefor.

Also:

H. 318. To make a supplemental appropriation to the State Tenure Commission for the fiscal year ending September 30, 1971.

Also:

H. 422. To repeal Act No. 1031, S. 624, approved September 9, 1961, entitled, "An Act providing further for the compensation of members of the jury commission in counties having a population of not less than 24,550 nor more than 24,650 inhabitants, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama 1961, p. 1617).

Also:

H. 523. To repeal Act No. 102, H. 40, Special Session 1969, approved May 14, 1969 entitled "An Act relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties." (Acts 1969, p. 178).

Also:

H. 553. Relating to Sumter County: To regulate the amount of and the manner of paying the compensation of the Chief Clerk for the Tax Assessor.

Also:

H. 554. To repeal Act No. 215, H. 372, approved August 30, 1966, entitled, "An Act To regulate the amount of and the manner of paying the compensation of the Chief Clerks for the Tax Assessors of all counties having populations of not less than 20,000 nor more than 21,000 according to the most recent federal decennial census." (Acts of Alabama 1966, Vol. I, page 267).

Also:

H. 555. Relating to Sumter County; providing for the operation of non-profit ambulance services by the municipalities of Livingston and York in said county.

Also:

H. 556. Relating to Sumter County; authorizing the Sumter County Commission to reimburse the towns of York and Livingston for expenses incurred in rendering ambulance service to the county.

Also:

H. 557. To repeal Act No. 547, S. 606, approved September 7, 1967, entitled, "An Act To amend Section 28 (1), Subdivision 1, Article 23A, Title 14A of the Code of Alabama, Recompiled 1958, 1965 Cumulative Supplement, as last amended (1961, p. 455, appvd. Aug. 7, 1961), providing for additional clerk in office of judge of probate, and fixing the compensation therefor." (Acts of Alabama 1961, Vol. II, p. 1296).

Also:

H. 558. To repeal Act No. 427, H. 928, approved August 7, 1961, entitled, "An Act To authorize the governing body of any county in this state having a population of not less than 20,000 nor more than 21,000 to provide for the employment of an additional assistant in the office of the judge of probate of the county for a portion of each fiscal year."

Also:

H. 559. Relating to Sumter County; to provide for an additional clerk for the probate judge, and fixing compensation thereof.

Also:

H. 611. To amend the title and Section 1 of Act No. 383, H. 882, Regular Session 1963 (Acts 1963, p. 887), which Act provides further for the compensation and expense allowance of county superintendents of education of certain counties classified on a population basis.

Also:

H. 612. To amend the title and Section 1 of Act No. 86, H. 193, Second Special Session 1965 (Acts 1965, p. 116), which Act provides further for the maintenance and care of ancient cemeteries or burial grounds by municipal corporations in certain counties classified on a population basis.

Also:

H. 613. To amend the title and Section 1 of Act No. 355, H. 357, Special Session 1966 (Acts 1966, p. 496), which Act provides further for official bonds of public officers and employees in certain counties classified on a population basis.

Also:

H. 614. To amend the title and Section 1 of Act No. 649, H. 874, Regular Session 1967 (Acts 1967, p. 1470), which Act provides further for the compensation of members of the county board of education in certain counties classified on a population basis.

Also:

H. 615. To amend the title and Section 1 of Act No. 650, H. 875, Regular Session 1967 (Acts 1967, p. 1471), which Act provides further for the compensation of jurors in certain counties classified on a population basis.

Also:

H. 616. To amend the title and Section 1 of Act No. 517, H. 881, Regular Session 1963 (Acts 1963, p. 1105), which Act provides that the clerks of county courts or other inferior courts of certain counties classified on a population basis may take affidavits and complaints and issue warrants in felony cases, and issue search warrants.

Also:

H. 617. To amend the title and Section 1 of Act No. 356, H. 358, Special Session 1966 (Acts 1966, p. 497), which Act provides further for the duties and fees of sheriffs relative to county or inferior courts in certain counties classified on a population basis.

Also:

H. 618. To amend the title and Section 1 of Act No. 357, H. 359, Special Session 1966 (Acts 1966, p. 497), which Act relates to pistol permits in certain counties classified on a population basis.

Also:

H. 619. To amend the title and Section 1 of Act No. 340, H. 630, Regular Session 1961 (Acts 1961, p. 362), which Act relates to the compensation of members of the county governing body in certain counties classified on a population basis.

Also:

H. 620. To amend the title and Section 1 of Act No. 1121, H. 1110, Regular Session 1969 (Acts 1969, p. 2076), which Act provides further for the insuring of certain public school buildings and property in certain counties classified on a population basis.

Also:

H. 621. To amend the title and Section 1 of Act No. 129, H. 240, Special Session 1966 (Acts 1966, p. 163), which Act provides further for branch banks in certain counties classified on a population basis.

Also:

H. 622. To amend the title and Section 1 of Act No. 384, H. 883, Regular Session 1963 (Acts 1963, p. 887), which act provides an allowance for clerk hire for the circuit court clerk in certain counties classified on a population basis.

Also:

H. 623. To amend the title and Section 1 of Act No. 337, H. 627, Regular Session 1961 (Acts 1961, p. 361), which Act provides that

clerks of county courts of certain counties classified on a population basis may take affidavits and complaints and issue warrants of arrest in misdemeanor cases.

Also:

H. 624. To amend the title and Section 1 of Act No. 841, H. 1111, Regular Session 1969 (Acts 1969, p. 1545), which Act provides further for deputies for the sheriff in certain counties classified on a population basis.

Also:

H. 625. To amend the title and Section 1 of Act No. 339, H. 629, Regular Session 1961 (Acts 1961, p. 362), which Act relates to certain duties of boards of registrars in certain counties classified on a population basis.

Also:

H. 626. To amend the title and Section 1 of Act No. 343, H. 633, Regular Session 1961 (Acts 1961, p. 364), which Act provides for the payment of the salaries of certain employees on a semi-monthly basis in certain counties classified on a population basis.

Also:

H. 653. To amend further Section 1 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564) as amended, which act provides a health insurance plan for employees of the State of Alabama, by including employees of certain county health departments under such plan.

Also:

H. 684. To authorize the tax assessor of any county of the State having a population of 500,000 or more according to the last or any subsequent Federal census to make or to have made photographic reproductions of books, records, papers or other documents, all of which are herein called "documents", required to be maintained or kept by such tax assessor; and to authorize such tax assessor to dispose of any such documents so photographed after the expiration of two years from the receipt of the same; and to provide that such photographs shall be retained in lieu of such documents; to provide that such photographic reproductions shall have the force and effect of the document itself, and to provide for the admission as evidence of duly certified photostatic copies or other copies of the original microfilm, photostat, or other similar photographs; to authorize such tax assessor to make copies of such documents and to furnish such copies to the public, together with his certificate as to the authenticity and correctness of the same, upon the payment to him of the fee therefor established by the governing body of the county; to authorize the governing body of the county to establish the fee or fees which the tax assessor shall charge for the aforesaid certified copy; to provide for the repeal of all laws in conflict with this Act; and to provide for the severability of the provisions of this Act in the event that any part is declared to be null or void; and to provide for the effective date of this Act.

Also:

H. 691. Relating to the thirty-sixth judicial circuit; authorizing the district attorney of such circuit to appoint a stenographic secretary; and to provide that the compensation of such secretary be paid by Lawrence County.

Also:

H. 699. To repeal Act No. 267, H. 597, approved August 24, 1939 (Local Acts 1939, p. 156) which prohibits the governing body of Mobile County from employing an auditor or accountant to examine the records of the governing body so long as there is a department or agency of the state authorized to make such audits.

Also:

H. 705. To amend the title and Section 1 of Act No. 190, H. 601, Regular Session 1963 (Acts 1963, p. 572), which Act provides further for an expense allowance for members of the governing body of certain counties classified on a population basis.

Also:

H. 706. To amend the title and Section 1 of Act No. 125, H. 228, Special Session 1966 (Acts 1966, p. 160), which Act re-designates the office of county or deputy solicitor as the office of assistant district attorney in certain counties classified on a population basis.

Also:

H. 707. To amend the title and Section 1 of Act No. 86, H. 117, Regular Session 1963 (Acts 1963, p. 465), which Act provides further for an allowance for clerk hire for the circuit court clerk in certain counties classified on a population basis.

Also:

H. 795. To amend the title and Section 1 of Act No. 292 of the Regular Session of the Legislature of Alabama of 1955, approved August 26, 1955, (Ala. Acts, 1955, p. 685 and 686), which authorized any county having a population of 500,000 or more, according to the last or any subsequent federal census, to appropriate funds to any public corporation created under Act No. 215 of the Regular Session of the Legislature of Alabama of 1947, approved July 24, 1947, (Ala. Acts, 1947, p. 81 et seq.), so that the said title of said Act No. 292, as amended, will recite that the said Act authorizes any such county to improve, prepare, beautify and equip land owned by any such public corporation and so that Section 1 of said Act No. 292, as amended, will authorize any such county to improve, prepare, beautify and equip land owned by any such public corporation.

Also:

H. 902. To repeal Act No. 75, S. 91, approved March 22, 1965, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; fixing the compensation of the chief clerk of the judge of probate of each of such counties." (Acts of Alabama, 1965, Special Session, vol. I, p. 89-90).

Also:

H. 903. To repeal Act No. 825, S. 403, approved September 2, 1965, entitled, "An Act relating to counties having a population of not less than 38,000 nor more than 45,000; providing for the payment of an expense allowance to the county Solicitor in any such county." (Acts of Alabama 1965, vol. II, p. 1547-1548).

Also:

H. 904. To repeal Act No. 445, S. 460, approved August 19, 1965, entitled, "An Act relating to all counties having populations of not less

than 38,000 nor more than 45,000 according to the most recent federal decennial census; providing additional per diem pay from county funds for members of the county board of equalization; making the Act retro-active." (Acts of Alabama, 1965, vol. I, p. 648-649).

Also:

H. 905. To repeal Act No. 215, H. 512, approved August 3, 1965, entitled, "An Act relating to counties having a population of not less than 38,000 nor more than 45,000; providing for the payment of an expense allowance to the judge of the county court in any such county." (Acts of Alabama 1965, vol. I, p. 301).

Also:

H. 906. To repeal Act No. 113, H. 54, approved September 30, 1965, entitled, "An Act to regulate the compensation of the members of the county board of education in all counties having populations of not less than 38,000 nor more than 45,000 according to the most recent federal decennial census." (Acts of Alabama, 1965, 2nd Special Session, vol. I, p. 152-153).

Also:

H. 907. To repeal Act No. 137, H. 121, approved May 10, 1967, entitled, "An Act to apply only in counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in such counties." (Acts of Alabama, 1967, vol. I, P. 187-188).

Also:

H. 908. To repeal Act No. 12, H. 70, approved June 27, 1967, entitled, "An Act to provide an expense allowance for the sheriff in all counties having populations of not less than 38,000 nor more than 45,000, according to the most recent decennial census." (Acts of Alabama, 1967, vol. I, p. 346).

Also:

H. 909. To repeal Act No. 590, H. 611, approved September 8, 1967, entitled, "An Act to authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 38,000 nor more than 45,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act." (Acts of Alabama, 1967, vol. II, p. 1362-1365).

Also:

H. 910. To repeal Act No. 618, H. 781, approved September 8, 1967, entitled, "An Act relating to Counties having a population of not less than 38,000 nor more than 45,000, and providing for payment of salary to the Judge of the Inferior Court in any such County, and to provide for all fees going to said Court, to be paid into the general fund of such County." (Acts of Alabama, 1967, vol. II, p. 1423).

Also:

H. 911. To repeal Act No. 651, H. 876, approved September 8, 1967, entitled, "An Act to apply only in counties having populations

of not less than 40,000 nor more than 45,000; providing an expense allowance for judges of the county court in such counties." (Acts of Alabama, 1967, vol. II, p. 1471-1472).

Also:

H. 912. To repeal Act No. 117, H. 102, approved May 14, 1969, entitled, "An Act to fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census, with retroactive effect." (Acts of Alabama, 1969, Special Session, vol. I, p. 188-189).

Also:

H. 913. To repeal Act No. 821, H. 1066, approved September 12, 1969, entitled, "An Act relating to all counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties." (Acts of Alabama, 1969, vol. II, p. 821).

Also:

H. 914. To repeal Act No. 911, H. 1293, approved September 12, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws." (Acts of Alabama 1969, vol. II, p. 1642-1643).

Also:

H. 915. To repeal Act No. 492, H. 1294, approved August 19, 1969, entitled, "An Act relating to counties having a population of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000." (Acts of Alabama 1969, vol. II, p. 951-952).

Also:

H. 916. To repeal Act No. 840, H. 1109, approved September 12, 1969, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner." (Acts of Alabama, 1969, vol. II, p. 1544-1545).

Also:

H. 917. To repeal Act No. 1192, H. 1428, approved September 13, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes." (Acts of Alabama, 1969, vol. III, p. 2230-2231).

Also:

H. 918. To repeal Act No. 590, S. 697, approved August 29, 1969, entitled, "An Act to apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner." (Acts of Alabama, 1969, vol. II, p. 1076-1077).

Also:

H. 919. To repeal Act No. 1084, S. 896, approved September 12, 1969, entitled, "An Act relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; providing further for the handling and use of the proceeds of gasoline excise taxes heretofore levied by the county governing bodies in any such counties." (Acts of Alabama 1969, vol. III, p. 2019-2020).

Also:

H. 1090. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama and the City of Birmingham, Alabama so as to include within the corporate limits of the City of Mountain Brook, Alabama all territory now within such corporate limits and also certain other territory presently situated in the City of Birmingham, Alabama and to alter and re-arrange the boundary lines of the City of Birmingham, Alabama so as to exclude from the corporate limits of said City certain territory now within such corporate limits of said City.

Also:

H. 528. To amend Section 3 of Act No. 466, H. 1194, approved September 14, 1915 (Local Acts 1915, p. 373), an act dividing Elmore County into commissioners' districts and providing for the election of such commissioners; so as to provide further for the election and qualifications of the commissioners.

Also:

H. 723. To amend the title and Section 1 of Act No. 84, H. 115, Regular Session 1963 (Acts 1963, p. 464), which Act provides further for clerk hire for the probate judge in certain counties classified on a population basis.

Also:

H. 724. To amend the title and Section 1 of Act No. 83, H. 114, Regular Session 1963 (Acts 1963, p. 463), which Act provides further for the payment of an expense allowance to the county superintendent of education in certain counties classified on a population basis.

Also:

H. 743. To provide a supplemental allowance for the court reporter of the twenty-sixth judicial circuit and to provide for the payment thereof from the general fund of the county within said circuits.

Also:

H. 744. Relating to counties having populations of not less than 42,000 and not more than 49,500; to provide additional compensation to the chief clerks or deputies of the tax assessor and tax collectors in such counties.

Also:

H. 745. Relating to counties having populations of not less than 42,000 nor more than 49,500; to provide an expense allowance for the coroners in such counties.



Also:

H. 746. Relating to counties having populations of not less than 42,000 nor more than 49,500; to provide for the appointment of a part time probation officer for the juvenile court in such counties and to prescribe his qualifications, powers, duties and compensation.

Also:

H. 750. Providing for the compensation of the County Superintendent of Education in any county having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last federal decennial census.

Also:

H. 779. To provide clerical assistants to the judge of probate of Greene County and to provide that their compensation shall be paid out of the county treasury.

Also:

H. 780. To authorize and direct the county commission of Greene County to allow and pay the sheriff of said county four hundred dollars (\$400) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately owned automobile used on official business.

Also:

H. 798. Relating to counties having a population of not less than 39,500 nor more than 41,750, authorizing the county governing body to create the position of county consultant, prescribing the qualifications for said office and authorizing the county to furnish said county consultant with an office in the county courthouse.

Also:

H. 742. Relating to counties having populations of not less than 42,000 nor more than 49,500, according to the most recent federal decennial census; to provide for the payment of an expense allowance to the judge of the juvenile court in any such county.

Also:

H. 823. To amend further Code of Alabama 1940, Title 13, Section 254 as amended, by increasing the compensation of certain deputy circuit solicitors in the Thirteenth Judicial Circuit.

Also:

H. 8. To further amend the title and Section 1 of Act No. 171, H. 223, Special Session 1961, approved September 15, 1961, as last amended, in relation to expense allowances of members of the county governing body of all counties having a population of not less than 24,525 nor more than 24,675.

JOHN W. PEMBERTON,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McLain:

S. 1010. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1011. Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1012. To authorize and make provision for the incorporation in any county having a population of not less than 175,000 nor more than 300,000, according to the last or any subsequent federal decennial census, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such authority to be organized, application be made to the governing body of the county in which such authority is to be organized and to the governing body of at least one municipality therein and that permission for organization of such authority be granted by each such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that the county in which any authority has been organized and each municipality which duly authorized the the organization of such authority may aid and cooperate in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking, acquisition, construction and operation of airports and airport facilities of an authority organized pursuant to this act; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his

agent, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence and by foreclosable mortgage on any property of such authority whether then in existence and thereafter acquired; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which such authority is organized and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1013. To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1014. To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1015. To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1016. Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1017. Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1018. Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1019. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1020. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1021. To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1022. To apply only in counties in the state having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1023. To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1024. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1025. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 1026. Relating to Circuits composed of one County having a population of not less than 110,000 nor more than 160,000: To create and establish therein the office of ex-officio judge of any county court exercising original jurisdiction over general misdemeanor cases.

Committee on Local Legislation No. 1.

By Messrs. Horne, Shelby, King, Pierce and Jones:

S. 1027. To amend Section 366 and Section 368 of Title 52 of the Code of Alabama 1940, which relates to the Teachers' Retirement System of Alabama.

Committee on Finance and Taxation.

By Mr. Foshee:

S. 1028. Relating to counties with populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize the county commission in such counties to appropriate \$1,000.00 out of the general fund for the relief of Grover Dean, Juanita Parrish Dean and Etta Dean.

Committee on Local Legislation No. 1.

By Messrs. Edington and Noonan:

S. 1029. To further amend the title and Section 1 of Act No. 287, H. 193, Special Session 1965 (Acts 1965, p. 395), as last amended, which provides for compensation of members of the boards of commissioners and imposes a qualifying fee upon persons who desire to become candidates for the office of commissioner of certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. Noonan and Pelham:

S. 1030. To amend further Sections 3, 6, and 9 of Act No. 243 H. 278, first Special Session 1964, as amended, which establishes the pension and relief system for policemen and firemen of the City of Mobile, by changing the amounts of contributions of the members and of the City; by expanding the investment powers of the Board of Pensions and by changing the bond requirement for the Board of Pensions and its members.

Committee on Local Legislation No. 1.

By Mr. Owen:

S. 1031. To provide an appropriation to the Alabama Forestry Commission for the purchase of land and the construction of various facilities.

Committee on Finance and Taxation.

By Mr. Owen:

S. 1032. To provide an appropriation to the Alabama Forestry Commission for the purchase of land needed to expand existing forest tree seedling nursery.

Committee on Finance and Taxation.

By Mr. Owen:

S. 1033. To amend Section 6 of Act No. 344, H. 301, approved September 5, 1955, as amended, (Acts of Alabama 1955, p. 780), which created the Fort Morgan Historical Commission so as to provide further for the salaries of the secretary and historian and the assistant secretary of the commission.

Committee on Conservation.

By Mr. Register:

S. 1034. Imposing additional powers and duties on the Attorney General relative to criminal statistics, and imposing reporting duties on certain agencies and officers, and to appropriate necessary funds to carry out the provisions of the Act.

Committee on Finance and Taxation.

By Messrs. Horne, King, Pierce and Jones:

S. 1035. To provide a cost of living increase to certain retired members of the Teachers' Retirement System of Alabama.

Committee on Finance and Taxation.

By Mr. Cook:

S. 1036. To amend Section 16, Act No. 576, Acts of Alabama 1959, p. 1442, entitled "AN ACT Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveryes; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act.", as heretofore amended, so as to increase the boat registration fees of Classes I through V, and increase issuance fees on all certificates.

Committee on Finance and Taxation.

By Mr. Noonan:

S. 1037. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof, and to authorize and provide for the payment of a monthly expense allowance for such Register.

Committee on Local Legislation No. 1.

By Mr. Lindsey:

S. 1038. Relating to counties having not less than 16,000 nor more than 16,250 populations, providing for the payment to the Judge of Probate, and/or Juvenile Court Judge of such counties for expenses of attending conferences of Judge of Probate and Juvenile Court Judges.

Committee on Local Legislation No. 1.

By Mr. Hammond:

S. 1039. To amend further Act No. 672, S. 99 of the Regular Session of 1965 (Acts 1965, p. 1208), which is known as The Farmers Market Authority Act.

Committee on Finance and Taxation.

By Mr. Horne:

S. 1040. To reapportion the Senate of Alabama; prescribing senatorial districts; the method and date for the election of senators as provided herein; and repealing all conflicting laws.

Committee on Constitution and Elections.

By Mr. Horne:

S. 1041. To apportion the House of Representatives of the Legislature.

Committee on Constitution and Elections.

By Messrs. Bailes, Vacca and King:

S. 1042. Creating the Birmingham National Geographical Monument Commission for the purpose of promoting, preserving and developing certain areas of scientific and general interest; providing for the manner of appointing members of the commission and to prescribe their terms of office; prescribing the authority, powers and duties of the commission and making an appropriation.

Committee on Finance and Taxation.

By Mr. Harris:

S. 1043. To amend Section 16, Title 50, Code of Alabama 1940, so as to provide that Public Improvement Bonds shall cover tools (not including hand tools), appliances and machinery.

Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Pruitt:

H. 970. Relating to Livingston University, a state educational institution, formerly named Livingston State College: To amend Sections 1, 2, 3, 4, 6 and 7 of Act No. 424, H. 541, Regular Session 1967 (Acts 1967, p. 1092), which created a board of trustees of Livingston State College, so as to increase the membership of the board of trustees, to provide further for meetings of the board and of its committees, to provide further for the powers and duties of the board, to prescribe a quorum of the board, to forbid members of the board and the chief executive officer of the University from engaging in certain activities and to ratify and confirm certain acts of the board of trustees and of the executive officer which have been heretofore done.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 970. To the Committee on Judiciary.



## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Edwards:

H. 1817. To repeal Act No. 835, H. 1102, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1541), entitled, "An Act Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting law."

Also:

By Mr. Edwards:

H. 1818. To repeal Act No. 834, H. 1101, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1540), entitled, "An Act Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to authorize the county governing bodies of such counties to employ the clerks of the circuit courts in such counties to perform certain duties, and to prescribe such duties and to provide for payment of compensation therefor."

Also:

By Mr. Edwards:

H. 1819. To amend the title and Section 1 of Act No. 119, H. 108, Special Session 1969 (Acts 1969, p. 190), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the disposition and use of such fees, in certain counties classified on a population basis.

Also:

By Mr. Edwards:

H. 1820. To amend the title and Section 1 of Act No. 515, H. 1135, Regular Session 1965 (Acts 1965, p. 759), which provides further for the payment of an expense allowance to coroners of certain counties classified on a population basis.

Also:

By Mr. Edwards:

H. 1821. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87), which regulates the compensation of election officers in certain counties classified on a population basis.

Also:

By Mr. Edwards:

H. 1822. To amend the title and Section 1 of Act No. 169, H. 493, Regular Session 1963 (Acts 1963, p. 565), which fixes the compensation of the county or deputy solicitor in certain counties classified on a population basis.

Also:

By Mr. Edwards:

H. 1823. To amend the title and Section 1 of Act No. 836, H. 1103, Regular Session 1969 (Acts 1969, p. 1541), which provides an allowance for the employment of additional clerical assistance by the tax assessors and collectors of certain counties classified on a population basis.

Also:

By Mr. Edwards:

H. 1824. To authorize the county commission of counties having populations of not less than 12,700 nor more than 13,100, according to the most recent federal decennial census, to pay, within their discretion, a total amount not to exceed \$800 to private citizens as a result of damages done by county trucks.

Also:

By Mr. Edwards:

H. 1825. To repeal Act No. 256, H. 769, approved July 29, 1969, Regular Session 1969 (Acts 1969, p. 533), entitled, "An Act To fix expense allowances of courts of county commissioners, boards of revenue or like governing bodies of all counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This act is in addition to all existing allowances."

Also:

By Mr. Barkett:

H. 1826. Relating to Dale County: providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Dale County: providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners or other like governing body of Dale County hereby authorized and directed to appropriate and set aside ten percent of the county's share of the state gasoline excise tax provided for by Code of Alabama 1940, Title 51, Sections 655 and 657, to be distributed to the several incorporated municipalities of each municipality to the total population of all municipalities in the county according to the most recent federal decennial census.

Section 2. The funds required to be appropriated and set aside by the provisions of this act shall be appropriated for the fiscal year commencing October 1, 1971, and each fiscal year thereafter; and shall be paid to the respective municipalities monthly as soon as practicable

after the county receives its portion of the state gasoline excise tax. All moneys received by municipalities under this act shall be used and expended exclusively for maintenance of highways and streets, for traffic control, and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues may be pledged.

Section 3. The provisions of this act are severable. If any part of the act is declare invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA  
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on June 17, June 24, July 1, and July 8, 1971.

JOSEPH H. ADAMS,  
Publisher.

Sworn to and subscribed before me on this the 27th day of July, 1971.

CELESTE A. WOODS,  
Notary Public.

Also:

By Mr. Barkett:

H. 1827. Relating to the County Commission of Dale County; re-dividing the county into four Commission districts; providing for the election and terms of the members of the Commission and for the election of a fifth member as Chairman of the Board of Commissioners, relieving the Probate Judge of all his duties and authority as Chairman of the Commission.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the County Commission of Dale County; re-dividing the county into four Commission districts; providing for the election and terms of the members of the Commission and for the election of a fifth member as Chairman of the Board of Commissioners, relieving the Probate Judge of all his duties and authority as Chairman of the Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Dale County shall be divided into four commissioner districts as follows:

District No. One shall be composed of Beats Twelve (12), Seven (7), Fifteen (15) and the following part of Beat One (1):

Starting at the point where the Beat line between Beat Twelve (12) and Beat One (1) crossed Alabama Highway 123 (Old U. S. 231); thence South along the centerline of said Alabama Highway 123 to Daleville Street; thence Southwest along the center line of Daleville Street to the Beat Line between Beat One (1,) and Beat Fifteen (15); thence West, North and Southwest along said line between Beat One (1) and Beat Fifteen (15) to the Fort Rucker Reservation, said point being the line between Beat One (1) and Fort Rucker; thence North, East, and North along the line between Beat One (1) and Beat Seven (7) to the line between Beat One (1) and Beat Twelve (12); thence E. along said Beat One (1) and Beat Twelve (12) to the point of beginning.

District Number Two:

District Two shall be composed of Beat Six (6), Beat Four (4), Beat Three (3), Beat Two (2), and Beat Sixteen (16).

District Number Three:

District Three shall be composed of Beat Eight (8), Beat Nine (9), Beat Fourteen (14), and the following described portion of Beat One (1): Daleville Street (Fort Rucker Road) and the Beat line between Beat One (1) and Beat Fifteen (15); thence Northeast along the centerline of Daleville Street to Alabama Highway 123 (Old U. S. 231); thence Southeast along the centerline of Alabama Highway 123 to New U. S. 231 Highway; thence Southeast along the centerline of new U. S. 231 Highway to the Beat line between Beat Fourteen (14) and Beat One (1); thence South along the Beat Line between Beat Fourteen (14) and Beat One (1) to the Beat Line between Beat One (1) and Beat Fifteen (15); thence West, North and West along the line between Beat One (1) and Beat Fifteen (15) to the point of beginning.

District Number Four:

District Four shall be composed of Beat Thirteen (13), Beat Ten (10), Beat Eleven (11), Beat Five (5), and the following portion of Beat One (1):

Beginning at the intersection of Alabama Highway 123 and the Beat line between Beat One (1) and Beat Twelve (12); thence East and Northeast along the line between Beat One (1) and Beat Twelve (12) to the line between Beat Five (5) and Beat One (1); thence Southeast along the line between Beat One (1) and Beat Five (5) to the line between Beat One (1) and Beat Eleven (11); thence South along the line between Beat One (1) and Beat Eleven (11) to the line between Beat One (1) and Beat Fourteen (14); thence West and South along the line between Beat One (1) and Beat Fourteen (14) to the intersection of said line and new U. S. 231; thence Northwest along the centerline of new U. S. 231 to Old U. S. 231; thence Northwest along the centerline of Old U. S. 231 to Alabama Highway 123; thence continuing Northwest along Alabama Highway 123 to the point of beginning.

Section 2. At the general election for State and county offices to be held in 1972 and every four years thereafter, there shall be elected

by the qualified electors of the entire county, a Chairman of the Board of Commissioners and a commissioner from each of the districts numbered 2 and 4; and at the general election to be held in 1974, and every four years thereafter, shall be elected by the qualified electors of the entire county, a county commissioner from each of the districts numbered 1 and 3. The Chairman of the Board of Commissioners shall be a qualified elector and may reside in any of the several commissioner districts. Such chairman shall preside at all meetings of the commission, but shall be authorized to designate some other member of the commission to serve as chairman in his absence.

Section 3. At the first meeting of the county commission after the election and qualification of those members who are elected in the 1972 general election, or upon the appointment of a new chairman of the county commission at an earlier date by the governor, the judge of probate of Dale County shall be relieved of all his duties and authority as chairman of the commission, and shall be replaced in those duties and authority by the chairman of the Board elected as herein provided.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws and parts of laws in conflict with this act are hereby repealed and Act No. 161, H. 158, approved December 9, 1896, p. 378) is specifically repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

#### STATE OF ALABAMA DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on June 24, July 1, July 8, and July 15, 1971.

JOSEPH H. ADAMS,  
Publisher.

Sworn to and subscribed before me on this the 27th day of July, 1971.

CELESTE A. WOODS,  
Notary Public.

Also:

By Mr. Barkett:

H. 1828. Relating to Dale County, authorizing nighttime hunting of raccoons, bobcat and fox with a rifle or shotgun; repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF DALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Dale County, authorizing nighttime hunting of raccoons, bobcat and fox with a rifle or shotgun; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be lawful to take, capture, or kill, or attempt to take, capture, or kill raccoons, bobcat or fox at night, with or without dogs, and any person who hunts for raccoons, bobcat or fox at night in Dale County may lawfully have in his possession at the time a rifle with maximum bore of .224 or shotgun.

Section 2. The provisions of Code of Alabama 1940, Title 8, Section 86, as amended, or any rule, regulation, or order of the director of conservation in conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA  
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on July 1, July 8, July 15, and July 22, 1971.

JOSEPH H. ADAMS,  
Publisher.

Sworn to and subscribed before me on this the 27th day of July, 1971.

CELESTE A. WOODS,  
Notary Public.

Also:

By Mr. Edwards:

H. 1830. To amend the title and Section 1 of Act No. 417, H. 452, Special Session 1966 (Acts 1966, p. 562), which provides for compensation for members of the jury commission in certain counties classified on a population basis.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828 and 1830. To the Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 559. Relating to DeKalb County; providing for the compensation of members of the jury commission and the Clerk of said Commission in DeKalb County.

Also:

S. 560. To regulate the compensation of the members of the county board of education in DeKalb County.

Also:

S. 561. To apply in DeKalb County; fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

Also:

S. 562. Relating to DeKalb County; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

Also:

S. 563. Relating to DeKalb County; providing for the payment of an expense allowance to the judge of the county court in DeKalb County.

Also:

S. 564. Relating to DeKalb County; to direct the county governing body to adjust the compensations of certain county officers.

Also:

S. 565. Relating to DeKalb County; to provide an additional expense allowance for the members of the county board of education in DeKalb County.

Also:

S. 566. Further regulating the meetings of the county board of registrars in DeKalb County.

Also:

S. 567. Relating to DeKalb County to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Also:

S. 568. Authorizing the appointment of juvenile court officers in DeKalb County.

Also:

S. 569. Relating to DeKalb County; providing for payment of salary to the Judge of the Inferior Court in DeKalb County, and to provide for all fees going to said court, to be paid into the general fund of such county.

Also:

S. 570. Relating to DeKalb County; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Also:

S. 572. To apply to DeKalb County; providing an expense allowance payable from the county treasury for the use of the coroner.

Also:

S. 573. To apply to DeKalb County; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in DeKalb County.

Also:

S. 574. Relating to DeKalb County; providing for the payment of an expense allowance to the county Solicitor or deputy district attorney in DeKalb County.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crowe and Naramore:

H. 1816. Relating to counties having a population of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; to provide for an increase from \$.50 to \$1.00 in the assessment fee on real and personal property in such counties.

Also:

By Messrs. Adams, Brassell and Turnham:

H. 1884. To amend Section 2 of Act No. 52, H. 302, Regular Session 1971, approved June 30, 1971, an act relating to municipalities having a commission form of government and having populations of not less than 20,000 nor more than 32,000, and providing for the election of the commissioners, so as to provide that such commissioners shall qualify and run for specific seats on the commission.

Also:

By Messrs. Waldrop, Carnes and Wynot:

H. 1895. Relating to membership of municipal and volunteer firefighters and police officers in Etowah County, Alabama, in organizations asserting the right to strike; prohibiting participation by firefighters and police officers in any strike against any municipality in



Etowah County, Alabama, and prohibiting their membership in any organization that asserts the right to strike against a municipality in Etowah County, Alabama; relating to their right to collective bargaining; and to provide for an arbitration procedure in the event the parties cannot reach an agreement.

With notice and proof thereto attached and herewith exhibited as follows:

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to membership of municipal and volunteer firefighters and police officers in Etowah County, Alabama, in organizations asserting the right to strike; prohibiting participation by firefighters and police officers in any strike against any municipality in Etowah County, Alabama, and prohibiting their membership in any organization that asserts the right to strike against a municipality in Etowah County, Alabama; relating to their right to collective bargaining; and to provide for an arbitration procedure in the event the parties cannot reach an agreement.

**Be It Enacted by the Legislature of Alabama:**

Section 1. No person shall accept or hold any commission or employment as a firefighter or fireman or a police officer or a policeman in the service of any municipality in Etowah County, Alabama, who participates in any strike or asserts the right to strike against any municipality in Etowah County, Alabama, or be a member of an organization of employees that asserts the right to strike against any municipality in Etowah County, Alabama, knowing that such organization asserts such right.

Section 2. All firefighters serving any municipality in Etowah County, Alabama, as paid firemen or as volunteer firefighters and all police officers or policemen who comply with the provisions of this Act are assured the right and freedom of association, self-organization, and the right to join or to continue as members of any employee or labor organization which complies with this Act, and shall have the right to present proposals relative to salaries and other such conditions of employment by representatives of their own choosing. No such person shall be discharged or discriminated against because of his exercise of such right, nor shall any person or group of persons, directly or indirectly, by intimidation or coercion, compel or attempt to compel any firefighter or fireman or police officer or policeman to join or refrain from joining a labor organization.

SECTION 2 (a). It is declared to be public policy to accord to all firefighters or firemen and to all police officers or policemen in the service of any municipality in Etowah County, Alabama, all the rights of labor other than the right to strike, or engage in any work stoppage or slowdown, and to provide for the exercise of these rights, a method of arbitration with reference to proposals relative to salaries and other conditions of employment.

SECTION 2 (b). All firefighters or firemen and all police officers or policemen serving any municipality in Etowah County, Alabama, as paid firemen or policemen shall have the right to bargain collectively with their respective municipalities and to be represented by a labor organization in such collective bargaining as to wages, rates of pay, hours, working conditions and all other terms and conditions of employment.

SECTION 2 (c) The Commissioners of Public Safety of any municipality or where there is no such Commissioner, the Mayor of any municipality in Etowah County, Alabama, upon petition that the firefighters or policemen in any such municipality desire to be represented by an organization, shall, after a fair and reasonable opportunity for all sides to present their positions to the firefighters or policemen and within 30 days after said petition, conduct a secret election to determine whether the organization represents a majority of the firefighters or policemen employed by such municipality, and upon determination that they do, he shall certify such organization as a bargaining agent. The labor organization so certified as bargaining agent shall be recognized by the municipal authorities as the sole and exclusive bargaining agent for all of the members of the municipal fire department or police department involved, unless and until a decertification election shall be held and the labor organization declared by the said Commissioner or Mayor as appropriate, as not representing a majority of the firefighters or policemen, of such municipality.

SECTION 2 (d). It shall be the obligation of such municipality acting through its proper officials, to meet and confer in good faith with the representative or representatives of the bargaining agent within ten days after receipt of written notice from said bargaining agent of the request for a meeting for collective bargaining purposes in the event that the bargaining agent and the appropriate municipal authorities are unable within thirty days from and including the date of their first five-day period hereinbefore mentioned, agree upon and select and name a third arbitrator. If on the expiration of the period allowed therefor the arbitrators are unable to agree upon a selection of a third arbitrator, the American Arbitration Association shall select him upon request in writing from either the bargaining agent or the appropriate municipal authorities. The third arbitrator, whether selected as a result of agreement between the two arbitrators previously selected, or selected by the American Arbitration Association, shall act as Chairman of the Arbitration Board.

SECTION 2 (e) Within five days from the expiration of the thirty day period referred to in Section 2 (d) above, the bargaining agent and the appropriate municipal authorities shall each select and name one arbitrator and shall immediately thereafter notify each other in writing of the name and address of the persons so selected. The two arbitrators so selected and named shall, within ten days from and after the expiration of the meeting, to reach an agreement on the matters which are the subject of such collective bargaining, any and all unresolved issues shall be submitted to arbitration.

SECTION 2 (f). The Arbitration Board shall, acting through its Chairman, call a meeting to be held within ten days after the date of the appointment of the Chairman, and shall, acting through its Chairman, give at least seven days notice in writing to each of the other two Arbitrators, the bargaining agent and the municipal authorities of the time and place of such hearing. The hearing shall be informal, and the rules of evidence prevailing in judicial proceedings shall not be binding. Any and all documentary evidence and other data deemed relevant by the Arbitrators may be received in evidence. The Arbitrators shall have the power to administer oaths and to require subpoena, to be issued by the Circuit Clerk and to be served by the sheriff or others authorized by law to serve such process, the attendance and testimony of witnesses, the production of books, records and other evidence relative or pertinent to the issues presented to them for determination.

The hearing conducted by the Arbitrators shall be concluded within twenty days of the time of commencement, and within ten days after

the conclusion of the hearings, the arbitrators shall make written findings and the written opinion upon the issues presented, a copy of which shall be mailed or otherwise delivered to the bargaining agent and the corporate authorities, or their attorneys or other designated representatives.

SECTION 2 (g). The Arbitrators shall conduct the hearings and render their decision upon the basis of a prompt peaceful and just settlement of the issues between the firefighters and the Police Department and the municipality by which they are employed, and the factors to be given weight by the Arbitrators in arriving at a decision shall include, among others, comparisons of wage rates or hourly conditions of employment of the fire department and the police department, in question with prevailing wage rates or hourly conditions of employment of skilled employees of the building trades and industry in the local operating area involved and-or for the same or similar work of employees exhibiting like or similar skills under the same or similar working conditions in the local operating area involved, as well as comparison of wage rate, or hourly conditions of employment of the fire department and police department in question with wage rates or hourly conditions or employment of fire departments and police departments in municipalities of comparable size.

And the Arbitrators shall also include among the factors giving weight to their decision, the public interest and welfare, comparison of peculiarities of employment in regard to other trades or professions, hazards of employment, physical qualifications, educational qualifications, mental qualifications, job training and skills.

SECTION 2 (h). Either party to the arbitration shall be entitled within ten days from the date of the decision of the arbitrators is rendered, to petition the Circuit Court for the County or Circuit within which the municipality is located to review by certiorari the proceedings and the manner and method of conducting the arbitration, for the purpose of determining that the requirements of this Act were fulfilled and followed, but said Court shall have no authority to inquire into the decision of said arbitrators or the sufficiency of the evidence considered by them in reaching their decision, or to substitute its judgment for that of the arbitrators.

If either party to the arbitration fails in good faith to comply with the decision of the arbitrators within ten days from the date the decision is rendered, the Circuit Court of the County or Circuit within which the municipality is located shall, upon petition of the aggrieved party, and in a summary manner, proceed to enforce such decision. The Court shall have no authority to substitute its judgment for that of the arbitrators, its authority being limited to a strict enforcement of the decision as rendered by said arbitrators. Said Circuit Court shall also have jurisdiction to enforce the subpoena powers of the Board of Arbitrators as herein provided.

SECTION 1 (i). All fees and necessary expenses of arbitration, not however, including the professional fees of attorneys representing either side or of professional witnesses, shall be borne equally by the bargaining agent and the municipal authorities.

SECTION 2 (j). Whenever wages, rates of pay, or any other matter requiring appropriation of money by any municipality are included as matters of collective bargaining conducted under this chapter, it is the obligation of the bargaining agent to serve written notice of request for collective bargaining on the municipal authorities at least 120 days before the last day on which money can be appropriated

by the municipality to cover the fiscal period which is the subject of the collective bargaining procedure.

Section 3. If, for any reason, any clause, sentence, sub-section, section or provision of this Act, or the application thereof to any person, body, situation, or circumstance, is held invalid or inoperative, the remainder of this Act and the application thereof to any other person, body, situation or circumstance shall not be affected hereby.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

**STATE OF ALABAMA**  
**ETOWAH COUNTY**

Before me, Mr. Joe Williams a Notary Public, in and for said County, in said State, personally appeared Mrs. Dorothy Mince, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Advertising Bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of The State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts herein-after stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of the Bill To Be Entitled An Act, which notice was printed in The Gadsden Times in its regularly circulated editions on July 5, July 12, July 19, and July 26, 1971, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appears in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 27th day of July, 1971.

MRS. DOROTHY MINCE.

Subscribed and sworn to before me on this 27th day of July, 1971.

JOSEPH L. WILLIAMS,  
Notary Public,  
Etowah County Alabama.

My Commission Expires June 24, 1973.

Also:

By Messrs. Wallace, Jones (E), Cherner, Parker (H), Boles, Timmons, McBride, Adwell, Ellis, Erdreich, Doss, Waggoner, Falkenburg, Boutwell, Meeks and Weeks:

H. 1079. To provide, subject to the conditions and qualifications stated in this Act, that the city board of education of every city of the State having a population of 300,000 or more, according to the last or any subsequent Federal census shall adopt a resolution providing for certain classes of employees of such board of education, particularly described in this Act, to participate in the State Employees' Retirement System of Alabama, established by Chapter 17, Title 55, Code of Alabama of 1940, as amended, subject to the approval of Board of Control, established by Section 461, Title 55, Code of Alabama of 1940; to provide that the said employees of said city board of education shall participate in the said State Employees' Retirement System, in accordance with said resolution, subject to the terms, conditions and

provisions prescribed in this Act and in Section 467, Title 55, Code of Alabama of 1940, as heretofore or hereafter amended, except to the extent that this Act modifies said Section 467; and to provide that the said resolution shall not apply to any employees of the city board who prior to the date prescribed for the adoption of such resolution become entitled to participate in the Teachers' Retirement System established by Chapter 14, Title 52, Code of Alabama of 1940, as amended.

Also:

By Messrs. Jones (F), Straiton, Harris, Taylor and Hobbie:

H. 1891. To create in the City of Montgomery in connection with the regular organized and paid Fire Department of the City the Montgomery Fire Fighters Pension Fund; to create a board of trustees of the Montgomery Fire Fighters Pension Fund and to provide for the organization of such board of trustees; to designate certain members of said board and provide for the selection of such members; to prescribe the powers and duties of said board and its officers and agents; to provide for the use, management and control of said Fund; to provide for the payment into such Fund of a certain percentage of the gross premiums now being collected from fire insurance companies doing business within such City for said Fund, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report and for enforcing such penalty; to provide for the payment into such Fund of a portion of the monthly salary of each member of such Fire Department; to provide for pensions for disabled and retired members of such Fire Department and the spouse and minor children of such disabled and retired members; to provide for the payment of the costs of administering said Fund; to prescribe the duties of such City officials in connection with the board of trustees and the said Fund; to provide for the repeal of all laws in conflict herewith; and to provide the effective date of this act.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To create in the City of Montgomery in connection with the regular organized and paid Fire Department of the City the Montgomery Fire Fighters Pension Fund; to create a board of trustees of the Montgomery Fire Fighters Pension Fund and to provide for the organization of such board of trustees; to designate certain members of said board and provide for the selection of such members; to prescribe the powers and duties of said board and its officers and agents; to provide for the use, management and control of said Fund; to provide for the payment into such Fund of a certain percentage of the gross premiums now being collected from fire insurance companies doing business within such City for said Fund, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report and for enforcing such penalty; to provide for the payment into such Fund of a portion of the monthly salary of each member of such Fire Department; to provide for pensions for disabled and retired members of such Fire Department and the spouse and minor children of such disabled and retired members; to provide for the payment of the costs of administering said Fund; to prescribe the duties of such City officials

in connection with the said board of trustees and the said Fund; to provide for the repeal of all laws in conflict herewith; and to provide the effective date of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the Montgomery Fire Fighters Pension Fund in the City of Montgomery, Alabama, and a Board of Trustees of the Montgomery Fire Fighters Pension Fund, by which name the Board shall be known and called, to be composed of the persons hereinafter named and to be selected as hereinafter provided and directed, in connection with the regularly organized and paid Fire Department of the City for the benefit of the members of said department and the persons hereinafter named, which said Fund shall be raised in the manner hereinafter provided.

Section 2. Any person who is now, or hereafter becomes, an employee of the Fire Department of the City of Montgomery shall become a member of the Pension Fund as a condition of employment.

Section 3. The Board of Trustees of the Montgomery Fire Fighters Pension Fund shall consist of the Chief, or other person acting in such capacity, of such Fire Department of the City, and five other members of the Fire Department of said City, who shall be selected as is hereinafter set forth and provided. The President of the Board of Commissioners of said City shall be an exofficio member of the Board of Trustees with the right to vote on any matter before the Board.

Section 4. The members of the Board of Trustees, other than the Chief of such Fire Department, shall be elected annually during the month of January. The date and manner for holding such election, and notice thereof to the members, shall be set by the rules and regulations of the Board of Trustees.

Section 5. The chief, or other person acting in such capacity, of said Fire Department shall be the President of the said Board of Trustees, and at the first meeting after each election as provided hereinabove, the Board of Trustees shall elect a secretary who shall perform such duties as may be assigned by the Board of Trustees and as may be set forth in the rules and by laws of the trustees. The Board of Trustees may elect such other officers as it deems necessary or desirable for the conduct of its business.

Section 6. The Comptroller of the City of Montgomery, or his duly appointed assistant, shall be the custodian of all assets belonging to the Montgomery Fire Fighters Pension Fund. The said Comptroller, or his duly appointed assistant, shall be liable on his official bond for the faithful performance of the duties imposed upon him under this act and for the faithful accounting for all monies, securities and things of value which come into his hands as said custodian, and he shall keep a separate account thereof which shall at all times reflect the true condition of said Fund.

Section 7. The Board of Trustees of the Fire Fighters Pension Fund is hereby declared to be the trustee of said Fire Fighters Pension Fund, and shall have the exclusive management, and control thereof, and all matters legitimately connected therewith; and said Board shall have power to adopt and enforce such rules and regulations as may be necessary to enable it to effectively and properly carry into execution the purpose for which it was organized, and to enable it to properly manage and conduct the business and affairs entrusted to it, provided such rules and regulations shall in no wise contravene the provisions of this Act, but shall be in conformity thereto. The said Board shall

hear and decide all applications for pensions under this Act, and its decisions on such applications shall be final and conclusive, and not subject to review or reversal, except by the said Board. The Board shall cause to be kept a record of all of its meetings and proceedings.

Section 8. The Montgomery Fire Fighters Pension Fund shall consist of the following: A. Of all monies that may be given or donated to said Fund by any person, firm, association or corporation for the uses and purposes for which said Fund is created; and said Board may take by gift, grant, devise or bequest any money, personal property, real estate or any interest therein or any right of property for the benefit of said Fund; and such gift, grant, devise or bequest may be absolute or in fee-simple or upon condition that only the rents, income and profits arising therefrom shall be applied to the purposes for which said Fund is created. B. Two percent shall be deducted from the compensation of each member of such fire department on each and every payroll for each and every payroll period, which shall be placed by the Comptroller of the City to the credit of said Montgomery Fire Fighters Pension Fund. C. Each fire insurance company doing business in such City shall annually on or before the first day of February of each year, pay into said Montgomery Fire Fighters Pension Fund, a sum equal to one-half of one percentum of the gross premiums, less returned premiums, received by such fire insurance company for and on account of business done by it in such city during the preceding year; and it shall not be lawful for such fire insurance company, or its agent, to take or receive any premium for insurance against fire within such city, unless such fire insurance company shall pay, at the time aforesaid, to the Montgomery Fire Fighters Pension Fund, the amount herein provided to be paid by such fire insurance company; and any such fire insurance company violating the provisions of this Act, shall forfeit to the said Montgomery Fire Fighters Pension Fund the sum of one thousand dollars, to be recovered against such fire insurance company so violating the provisions aforesaid or its agent, by suit brought in a court of competent jurisdiction in the name of the said Board of Trustees of the Montgomery Fire Fighters Pension Fund, and all such forfeitures and penalties shall be and become a part of said Montgomery Fire Fighters Pension Fund. D. The governing body of such city may set apart for, and pay into, the said Montgomery Fire fighters Pension Fund not exceeding one percentum of all revenues collected and received by such city from licenses issued by such city.

Section 9. The members of the Board shall be the trustees of all the assets of the Fund and shall have full power to invest and reinvest such assets, subject to all terms, conditions, limitations and restrictions imposed by the laws of Alabama upon domestic life insurance companies in the making and disposing of their investments; and subject to like terms, conditions, limitations and restrictions, the Board shall have full power to hold, purchase, sell, assign, transfer and dispose of any of the securities and investments in which any of the assets of the Fund may have been invested, as well as the proceeds of said investments and any monies belonging to the Fund. No member nor employee of the Board shall have any direct or indirect interest in the gains or profits of any investment made by the Board, nor as a member of the Board receive any pay or emolument for his services. No member nor employee of the Board shall, directly or indirectly, for himself or as an agent in any manner, use the same, except to make such current and necessary payments as are authorized by the Board.

Section 10. The Board of Trustees of the Montgomery Fire Fighters Pension Fund shall make an annual report to the members of the condition of such Montgomery Fire Fighters Pension Fund.

Section 11. The Board of Trustees of the Montgomery Fire Fighters Pension Fund shall designate the depository or depositories of said Montgomery Fire Fighters Pension Fund, and it shall be the duty of the custodian of said Fund to make deposits of said Fund as directed by the said Board of Trustees.

Section 12. All payments from the Fund shall be made only upon regular vouchers signed by the custodian of the Fund. NO voucher shall be drawn on such Fund except by order of the Board of Trustees which shall be duly and regularly entered in the record of the proceedings of said Board of Trustees.

Section 13. No portion of the Montgomery Fire Fighters Pension Fund shall, before or after its order for distribution by the said Board of Trustees to the person or persons entitled thereto under the provisions of this Act, be held, seized, taken, subjected to, detained, or levied upon, by virtue of any attachment, garnishment, execution, injunction, writ, order, decree, or any other process whatsoever issued out of or by any court of this state, for the payment or satisfaction, in whole or in part, of any debt, damage, demand, claim, judgment or decree, against any beneficiary of such Fund, but shall be exempt therefrom. The said Fund shall be kept, held, and distributed for the purposes named in this Act, and for no other purpose whatsoever, and the contributions of members, the right of a person to a retirement allowance or other benefit, and any other right accruing to any person under the provisions of this Act shall not be subject to taxation by the City nor by the State of Alabama and shall not be assignable.

Section 14. If at any time there shall not be sufficient money in the Montgomery Fire Fighters Pension Fund to pay each person entitled to the benefit thereof the full amount per month as herein provided, then an equal percentage of such monthly payment or payments shall be made to each beneficiary until the said Fund shall be replenished to warrant the payment in full to each of said beneficiaries.

Section 15. Any member of the Fire Department who, while actively employed by the Fire Department, becomes permanently physically or mentally disabled for service in such Fire Department, from whatever cause, upon the presentation to the Board of Trustees of satisfactory evidence of such disability, or upon such examination as may be required by the Board, be retired from such service, and upon such retirement, such member shall be entitled to a disability benefit of \$40.00 per month provided that such member, at the time of becoming disabled, enjoyed permanent status as an employee of said Fire Department.

Section 16. In all matters involving the disability of members of the Fire Department, the Board of Trustees may have such disabled member examined by such reputable physician or surgeon as may be selected by it, who shall report to said Board of Trustees the result of such examination in writing.

Section 17. Any employee of said Fire Department who has made contributions, as a member, for 240 months to the Fund, whether such contributions were made in consecutive months or not, and who has not elected to withdraw his contributions to the Fund as provided hereinafter, upon making written application to the Board of Trustees therefor, shall without medical examination or disability, be retired, and the said Board of Trustees shall direct the payment to such retired member from such Fund of the sum of \$40.00 per month, and in addition thereto, if such member has served as an employee of said Fire Department for more than 240 months, the said Board of Trustees shall direct the payment to such retired member from such Fund of the



further and additional sum of \$1.00 per month for each year of service in such Fire Department by such retired member in excess of 240 months, provided, however, that in no event shall such retired member be entitled to payment in excess of \$50.00 per month from such Fund. The payment under this Section shall be in addition to any retirement payment or annuity received by such retired member from any other source or fund or under any other law or ordinance.

Section 18. If any member of the Fire Department shall die from any cause whatsoever, and shall leave a surviving spouse or child or children under the age of eighteen years, said Board shall direct the payment from said Fund of the sum of \$30.00 monthly to such surviving spouse, during his or her natural life and while unmarried, and for each child the sum of \$10.00 per month until it reaches the age of eighteen years, which said sum for the benefit of such child or children shall be paid to the parent, if living, monthly so long as such child or children shall reside with and be supported by such parent, and otherwise to the person having custody of such child or children.

Section 19. When the surviving spouse, or child or children of either of them, shall be entitled to a pension as provided herein, such spouse, or child or children shall make or cause to be made on application establishing eligibility to the Board of Trustees through the secretary of such Board, on a form to be provided by the Board, which shall show in the case of the surviving spouse proof of the marriage of the deceased to the claimant, by marriage certificate or other competent evidence; in the case of a child or children, birth and ages of such children shall be shown by affidavits of the parent or person having custody of them, or by disinterested persons, and by any other competent evidence. The Board may thereafter require the annual filing of a verified certificate, reflecting the continued eligibility of such persons for such pension. All applications and proofs shall be kept and retained in the custody of the Board of Trustees.

Section 20. It shall be the duty of the city attorney of the city to give advice to the Board of Trustees in all matters pertaining to the duties of the Board of Trustees and the management of the Fund, whenever requested to do so, and he shall represent and defend the said Board of Trustees as its attorney in all suits and actions at law or in equity that may be brought against it, and shall bring all suits and actions in its behalf that may be required or determined upon by said Board of Trustees; and the said Board of Trustees shall have the authority to employ such other counsel as it may see fit in such matters, and to pay out of such Fund reasonable attorney's fees to such counsel as it may employ as aforesaid.

Section 21. The Board of Trustees shall be authorized to pay out of the Fund all reasonable and necessary expenses that may be incurred by it in and about the performance of its duties under this Act and in and about the management and administration of such Fund; provided that in no event shall the members of said Board of Trustees receive any salary or compensation for their services out of said Fund.

Section 22. Each fire insurance company doing business in the City shall file with the Board of Trustees, on or before the first day of February of each year, a statement or report in writing showing the gross amount of premiums, less returned premiums, received by such fire insurance company for and on account of business done by it in such City during the preceding year, which such statement or report shall be sworn to by the agent of such fire insurance company in such City, or some other person having knowledge of the facts; and any such fire insurance company failing to make and file such report and statement as aforesaid, shall be subject to the same penalties as are

provided in sub-division C of Section 8 of this Act, to be collected as in said subdivision C provided for the benefit of such Fund.

Section 23. The Board may designate an actuary to be the technical advisor to the Board on matters regarding the operation of the Fund who shall perform such duties as are required of him by the Board.

Section 24. If a member shall cease to be an employee of said Fire Department, for any reason other than death or retirement under the provisions hereof, he shall be paid on demand his accumulated contributions paid under the provisions of this Act; provided, however, that when an employee has withdrawn such contributions paid under the provisions of employed by said Fire Department within 30 days, and again becomes a member of the Fund within such time, the Board may in its discretion allow such employee to repay such accumulated contributions as he has previously withdrawn and reinstate the prior service of such employee with such Fire Department for purposes of qualifying such employee under the provisions of this Act.

Section 25. The Board may employ the services of an investment trustee, which shall be such bank or other recognized financial advisory service as the Board of Trustees may select. The Board of Trustees may terminate the services of the investment trustee upon thirty (30) days written notice to such trustee, and the trustee may likewise terminate its services upon thirty (30) days' written notice to the Board. After receipt of such notice by either party, the investment trustee shall make an accounting within forty-five (45) days of the receipt of said notice.

The investment trustee shall have the following powers and duties (but no other):

(1) To retain inventoried assets delivered to it by the Board so long as such retention appears advisable, including the right to retain investments previously made in its stock, if any, by the Board.

(2) To sell, exchange, assign, transfer and convey any security or property, real or personal (whether in the original inventory or acquired by purchase or otherwise), at public or private sale, at such time and price and upon such terms and conditions (including credit) as it may determine.

(3) To invest and reinvest in such stocks, bonds, and other securities and properties as it may deem advisable, including preferred stocks, common stocks, debentures, and unsecured obligations, undivided interests, interests in investment trusts, mutual funds, legal and discretionary common trust funds, and leases and property either inside or outside of Alabama.

(4) To register and carry any property in its own name or in the name of its nominee or to hold it unregistered but without thereby increasing or decreasing its liability as fiduciary.

(5) To vote in person or by proxy any stock or securities held and to grant such proxies and powers of attorney to such person or persons as it may deem proper. The Board shall have the power to vote in person or by proxy any stock in the investment trust.

(6) To consent to and participate in any plan for the liquidation, reorganization, consolidation or merger of any corporation, any stock or security of which is held.

(7) To receive reasonable compensation for its services. The amount or method of computation to be agreed upon between the Board and the investment trustee.

(8) To receive funds or appropriations from the Board to be held and administered hereunder, and to have custody of all investments delivered to it.

(9) To pay to the Board on duly-authorized vouchers such funds as may be required to make current monthly payments of retirement allowances and expenses.

The powers and duties of the investment trustee shall apply from and after its selection by the Board and delivery of assets to it, and the investment trustee shall have no duties in reference to nor any liabilities for any acts or failures to act which occurred prior thereto.

Section 26. The Board of Trustees of the Firemen's Pension and Relief Fund, provided for under subdivision 2, Article 12, Title 62, 1940 Code of Alabama, as amended (1915 Local Acts of Alabama, page 898) shall be the Board of Trustees of the Montgomery Fire Fighters Pension Fund created hereunder and shall serve until the election of the Board of Trustees in January next following the effective date of this Act, and the fund known and designated as the Firemen's Pension and Relief Fund under the terms and provisions of said Article 12, Title 62, 1940 Code of Alabama, as amended, shall be and it is hereby transferred to said Board of Trustees of the Montgomery Fire Fighters Pension Fund as and for a part of said Montgomery Fire Fighters Pension Fund, and such shall from and after the effective date of this act be subject to the provisions of this act.

Section 27. All laws or parts of laws in conflict with this Act are hereby repealed, and Sections 529-557, inclusive, Title 62, 1940 Code of Alabama, as amended, being all of subdivision 2 of Article 12 of said Title 62, are hereby specifically repealed.

Section 28. Whoever with intent to deceive shall make any statements or reports required under this Act which are untrue, or which falsify or permit to be falsified any record or records of the Fund shall be subject to a fine not to exceed \$100.00 or to imprisonment for not exceeding six months, or both.

Section 29. Should any change or error in the records of the Fund result in any member or beneficiary receiving from the Fund more or less than he would have been entitled to receive had such change or error not been made, the Board shall have the power to correct such error, and so far as practicable, to adjust the payments in such manner that benefits of equivalent value to the benefit to which such member or beneficiary was justly entitled shall be paid to such member or beneficiary.

Section 30. This Act shall become effective on the first day of the second month following its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Guyton Parks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Alabama Journal, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Ala-

bama, said notice having appeared in the issues of said paper on July 5, July 12, July 19, and July 26, all in the year 1971.

GUYTON PARKS.

Sworn to and subscribed before me July 27, 1971.

KATHLEEN F. MEADS,  
Notary Public.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 759. To provide a form of municipal government to be known as the mayor-council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 30,000 nor more than 33,000 according to the most recent federal decennial census; to provide the method by which any such city may adopt the mayor-council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the mayor-council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a mayor and for the filling of vacancies in the office of mayor and to provide the duties and authority of the mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the mayor-council form of government; to make various other provisions for any such city which adopts the mayor-council form of government and for the government thereof; and to provide for the means of abandoning the mayor-council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 760. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of not less than 30,000 nor more than 45,000, according to the most recent federal decennial census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Also:

By Mr. Roberts:

H. 1416. To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597), relating to the compensation of

the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Also:

By Mr. Roberts:

H. 1411. To regulate further the fees of sheriffs in all counties of this State having populations of not less than 300,000 and not more than 500,000 according to the most recent federal decennial census.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1816, 1884, 1895, 1891, 759, 760, 1416 and 1411. To the Committee on Local Legislation No. 1.

H. B. 1079. To the Committee on Local Legislation No. 2.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Cherner:

H. 1. To redistrict the state and provide for the election of congressmen by district, amending Code of Alabama 1940, Title 17, Section 425, as amended.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1. To the Committee on Constitution and Elections.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Williams:

H. 1150. To provide a full time Deputy District Attorney for the District Attorney of the Ninth Judicial Circuit of Alabama and to fix his duties and salary.

Also:

By Messrs. Stokes, Downing, Nettles, Callahan, Lyons and Roberts:

H. 821. To provide that the Governing Body of any City or Town in the State of Alabama having a population, according to the last or any future Federal census, in excess of 175,000 inhabitants and less than 300,000 inhabitants may, by resolution or ordinance, provide that such Governing body shall have the exclusive authority to hire, demote, suspend or discharge the Chief of Police of such City or Town and to fix his compensation (not to exceed a sum prescribed herein) and his working conditions and to provide that the Personnel Director and Personnel Board and any other officials of any countywide Civil Service System in any such County shall have no right, powers, or duties with reference to the matters covered by such resolution or ordinance; to provide that any such Governing Body may, by resolution or ordinance, confer upon the Chief of Police of such City or Town authority to suspend preemptorily for a limited period and for cause any of the employees of the Police Department of such City or Town without compensation and to provide for the procedure for such suspension and that no such suspension can be contested or modified, and that the right of such suspension cannot be set aside or suspended by any such Personnel Director or Personnel Board; to provide that any such Governing Body may, by resolution or ordinance, provide that the Chief of Police of such City or Town may for prescribed causes otherwise suspend, demote or discharge any employee of the Police Department of any such City or Town, and to provide for the procedure in such cases and for the effect of such orders and appeals therefrom to such Personnel Board; to provide for appeals from any orders of any Personnel Director or Personnel Board to the Circuit Court of such County and for the procedure on such appeals, and the effect of such action of such Chief of Police and of such Personnel Director and Personnel Board to be given by the said court on such appeal, and the power of the court to vacate, modify or affirm the same; to provide for the repeal of any such resolution or ordinance and the reinstatement thereof; to define the scope and extent and powers, duties and authority of the Governing Body of any such City or Town and of the Chief of Police thereof and of any such Personnel Director and Personnel Board with reference to the demotion, suspension or discharge of any personnel of any such Police Department; to repeal all laws or parts of laws inconsistent with the provisions hereof, and to provide when this Act shall become effective.

Also:

By Messrs. Cauthen and Slate:

H. 1250. To provide an additional expense allowance for each court reporter in the 8th Judicial Circuit.

Also:

By Mr. Barkett:

H. 1274. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Dale County; and the regulation of costs and charges of courts in said county.

Also:

By Mr. Grey (D):

H. 1277. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLIC NOTICE

THE STATE OF ALABAMA  
LAMAR COUNTY

Notice is hereby given that a bill in substantially the following form will be introduced in the Legislature of the State of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama:

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Sulligent, Lamar County, Alabama, be altered, rearranged and extended to include the following territory:

S $\frac{1}{2}$  of SE $\frac{1}{4}$ , Section 21, SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , S $\frac{1}{2}$  of NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and W $\frac{1}{2}$  of SE $\frac{1}{4}$ , Section 22, N $\frac{1}{2}$  of NE $\frac{1}{4}$ , W $\frac{1}{2}$  and NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 28; NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , S $\frac{1}{2}$  of NE $\frac{1}{4}$ , SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , and S $\frac{1}{2}$  of Section 29; SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 30; all of Section 31; all of Section 32; and W $\frac{1}{2}$  of Section 33. All in Township 13 South, Range 15 West N $\frac{1}{2}$  of NW $\frac{1}{4}$ , Section 4; N $\frac{1}{2}$  of N $\frac{1}{2}$ , Section 5; and NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 6, in Township 14 South, Range 15 West, All in Huntsville Meridian, Lamar County, Alabama.

Section 2. That all laws and parts of laws, general, special and local, in conflict with this Act, be and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

THE STATE OF ALABAMA  
LAMAR COUNTY

Before me, Nellie Ruth Taggart, a Notary Public in and for said County, personally appeared Rex Rainwater, Publisher, of THE LAMAR DEMOCRAT, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice was published once a week for 4 consecutive weeks in said paper in issues dated as follows: June 3, 1971, June 10, 1971, June 17, 1971 June 24, 1971.

REX RAINWATER,  
Publisher.

Subscribed and sworn to before me, this the 24th day of June, 1971.

NELLIE RUTH TAGGART,  
Notary Public.

My Commission Expires 8-23-73.

Also:

By Mr. Easters:

H. 1504. Relating to law enforcement in any County with a population of not less than 34,100 nor more than 34,900 according to the 1970 decennial census; fixing the fee for the issuance of pistol permits; and providing for the deposit of such fees in the county general fund.

Also:

By Mr. Easters:

H. 1505. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an additional expense allowance of \$30.00 per month for each member of the county school board of such counties.

Also:

By Mr. Easters:

H. 1506. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an expense allowance of \$150.00 per month to each member of the county commission in such counties.

Also:

By Mr. Easters:

H. 1507. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for a raise in the registrars pay of such counties to \$20.00 per day.

Also:

By Mr. Easters:

H. 1508. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an expense allowance of \$1,200.00 per annum for the circuit court clerk to compensate for services rendered to the inferior court.

Also:

By Mr. Easters:

H. 1509. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance of not less than \$600.00 nor more than \$1,600.00 for the assistant district attorney of the inferior court of such counties.

Also:

By Mr. Easters:

H. 1510. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance of \$4,000 to \$6,000 for the judge of inferior court to be set by the county commissioner of said counties.



Also:

By Mr. Smith (P):

H. 1573. To repeal Act No. 150, H. 487, Regular Session 1961, approved August 1, 1961, entitled "An Act To apply in all counties having a population of not less than 65,000 nor more than 95,000, according to the last or any subsequent Federal decennial census; to better secure the enforcement of laws in such counties, to further prescribe the duties of the Sheriffs and Solicitors in the enforcement of such laws and to provide for the payment of the expenses incurred in connection therewith."

Also:

By Mr. Smith (P):

H. 1574. To repeal Act No. 1226, H. 1502, Regular Session 1969, approved September 13, 1969, entitled "An Act Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, and having county courts composed of two divisions with a judge for each division; prescribing the civil jurisdiction of such courts; and placing certain limitations on the judges thereof."

Also:

By Mr. Smith (P):

H. 1575. To repeal Act No. 359, S. 519, Regular Session 1967, approved September 5, 1967, entitled "An Act To apply only in counties having populations of not less than 65,000 nor more than 95,000; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury."

Also:

By Mr. Smith (P):

H. 1576. To repeal Act No. 713, H. 1002, Regular Session 1967, approved September 8, 1967, entitled "An Act Applying to all counties having a population of not less than 65,000 nor more than 95,000 according to the last or any subsequent federal decennial census; creating an assistant clerk in certain divisions of the county courts in such counties and providing for the pay thereof."

Also:

By Mr. Smith (P):

H. 1577. To repeal Act No. 201, S. 442, Regular Session 1967, approved August 8, 1967, entitled "An Act To apply to all counties having populations of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having an authorized office or place of business in any city or town in any such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established."

Also:

By Mr. Smith (P):

H. 1578. To repeal Act No. 452, H. 1060, Regular Session 1969, approved August 22, 1969, entitled "An Act Relating to counties having populations of not less than 65,000 nor more than 95,000; authorizing the county governing body of any such county and the governing body of any municipality within any such county to contribute public funds for a volunteer rescue squad."

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 1150. To the Committee on Finance and Taxation.

H. B.'s 821, 1250, 1274, 1277, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1573, 1574, 1575, 1576, 1577 and 1578. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 1274, was read at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cross and Carter:

H. 1726. To repeal Act No. 665, H. 744, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1186), entitled, "An Act Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county."

Also:

By Messrs. Cross and Carter:

H. 1727. To amend the title and Section 1 of Act No. 141, H. 507, Regular Session 1969 (Acts 1969, p. 413), which provides for an allowance for uniforms for the sheriff, his deputies and other employees of the sheriff's department in certain counties classified on a population basis.

Also:

By Messrs. Cross and Carter:

H. 1728. To amend the title and Section 1 of Act No. 178, H. 509, Regular Session 1965 (Acts 1965, p. 249), which provides for the promotion of industry in certain counties classified on a population basis.

Also:

By Messrs. Cross and Carter:

H. 1729. Relating to all counties having populations of no less than 27,000 nor more than 27,900, according to the most recent federal decennial census, further regulating the compensation and allowances of the members of the board of revenue or courts of commissioners.

Also:

By Messrs. Cross and Carter:

H. 1730. To repeal Act No. 171, H. 184, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 235), entitled, "An Act Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue."

Also:

By Mr. O'Daniel:

H. 1732. To amend further Section 1, Act No. 47, H. 100, Special Session 1962, as amended by Section 1, Act 441, S. 192 Special Session, 1966, an Act fixing the compensation of certain officers of Elmore County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

To amend further Section 1, Act. No. 47, H. 100, Special Session 1962, as amended by Section 1, Act. 441, S. 192, Special Session, 1966, an act fixing the compensation of certain officers of Elmore County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The annual salaries of the members of the Elmore County Commission or like governing body shall be the amount hereinafter provided, which shall be paid in equal monthly installments out of the funds of the county as provided by law:

A member of the county commission or other like governing body shall receive an annual salary of Nine Thousand Six Hundred (\$9,600.00) Dollars.

Section 2. This act shall become effective at the expiration of the term of the incumbent officer.

THE STATE OF ALABAMA  
ELMORE COUNTY

Before me the undersigned authority personally appeared Jack B. Venable, who, by me first being duly sworn, deposes and says that he is the publisher of The Tallassee Tribune, weekly newspaper published at Tallassee in Elmore County, Alabama, and that the attached notice: To Amend Further Section 1, Act 47, H. 100 Compensation of Officers, was published in said newspaper for 4 successive weeks to-wit: June 24, July 1, 8 and 15, 1971.

JACK B. VENABLE.

Sworn to and subscribed before me this 15th day of July, 1971.

My commission expires 7/10/74.

JIMMY L. BALLENTINE,  
Notary Public.

Also:

By Mr. O'Daniel:

H. 1733. To regulate further the fees for recording documents affecting the title to real property in Elmore County; and providing for the disposition of said fees.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To regulate further the fees for recording documents affecting the title to real property in Elmore County; and providing for the disposition of said fees.

Be It Enacted by the Legislature of Alabama:

Section 1. The probate judge of Elmore County shall charge and collect a minimum of four dollars for recording a property instrument, or any instrument or document affecting the title to property in such county.

Section 2. All fees collected pursuant to this act shall be deposited in the general fund of Elmore County.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
ELMORE COUNTY

Before me the undersigned authority personally appeared Jack B. Venable, who, by me first being duly sworn, deposes and says that he is the publisher of The Tallassee Tribune, weekly newspaper published at Tallassee in Elmore County, Alabama, and that the attached notice: A Bill to be Entitled an Act, was published in said newspaper for 4 successive weeks to-wit: June 24, July 1, 8, and 15, 1971.

JACK B. VENABLE.

Sworn to and subscribed before me this 23rd day of July, 1971.

JIMMY L. BALLENTINE,  
Notary Public.

My commission expires 7/10/74.

Also:

By Mr. O'Daniel:

H. 1734. Relating to Elmore County; to provide for an additional fee to be charged by the judge of probate of such county for his services in redemption of land sold for taxes; and providing for the disposition of such additional fee.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Elmore County; to provide for an additional fee to be charged by the judge of probate of such county for his services in redemption of land sold for taxes; and providing for the disposition of such additional fee.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to all other costs and fees now authorized by law, a party securing the redemption of land in Elmore County under Code of Alabama 1940, Title 51, Chapter 14, Article 5, as amended, shall pay to the judge of probate of said county a fee of three dollars.

Section 2. All fees collected pursuant to this act shall be deposited into the general fund of Elmore County.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
ELMORE COUNTY

Before me the undersigned authority personally appeared Jack B. Venable, who, by me first being duly sworn, deposes and says that he is the publisher of The Tallasse Tribune, weekly newspaper published at Tallassee in Elmore County, Alabama, and that the attached notice: A Bill to be Entitled an Act, was published in said newspaper for 4 successive weeks to-wit: June 24, July 1, 8, and 15, 1971.

JACK B. VENABLE.

Sworn to and subscribed before me this 23rd day of July, 1971.

JIMMY L. BALLENTINE,  
Notary Public.

My commission expires 7/10/74.

Also:

By Mr. O'Daniel:

H. 1735. To further regulate the fee for recording change of ownership of a motor vehicle in Elmore County; providing for the disposition of such fees.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To further regulate the fee for recording change of ownership of a motor vehicle in Elmore County; providing for the disposition of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. The minimum fee for recording the change of ownership of a motor vehicle in Elmore County shall be one dollar.

Section 2. All such fees collected pursuant to this act shall be deposited in the general fund of the county.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
ELMORE COUNTY

Before me the undersigned authority personally appeared Jack B. Venable, who, by me first being duly sworn, deposes and says that he is the publisher of The Tallassee Tribune, weekly newspaper published at Tallassee in Elmore County, Alabama, and that the attached notice: A Bill to be Entitled an Act, was published in said newspaper for 4 successive weeks to-wit: June 24, July 1, 8, and 15, 1971.

JACK B. VENABLE.

Sworn to and subscribed before me this 23rd day of July, 1971.

My commission expires 7/10/74. JIMMY L. BALLENTINE,  
Notary Public.

Also:

By Mr. O'Daniel:

H. 1736. Relating to Elmore County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Elmore County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction in Elmore County of violations of the rules of the road, or the laws of this state relating to or regulating traffic or operation of motor vehicles upon the highways of this state, shall be paid into the fine and forfeiture funds of such county, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with his act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### THE STATE OF ALABAMA ELMORE COUNTY

Before me the undersigned authority personally appeared Jack B. Venable, who, by me first being duly sworn, deposes and says that he is the publisher of The Tallassee Tribune, weekly newspaper published at Tallassee in Elmore County, Alabama, and that the attached notice: A Bill to be Entitled an Act, was published in said newspaper for 4 successive weeks to-wit: June 24, July 1, 8, and 15, 1971.

JACK B. VENABLE.

Sworn to and subscribed before me this 23rd day of July, 1971.

JIMMY L. BALLENTINE,  
Notary Public.

My commission expires 7/10/74.

Also:

By Mr. O'Daniel:

H. 1737. Relating to Elmore County: abolishing the Elmore County Court and establishing in lieu thereof a court of record to be known as the Law & Juvenile Court defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Court to the Law & Juvenile Court.

With notice and proof thereto attached and herewith exhibited as follows:

#### A BILL TO BE ENTITLED AN ACT

Relating to Elmore County: abolishing the Elmore County Court and establishing in lieu thereof a court of record to be known as the Law & Juvenile Court defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be

known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedures of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Court to the Law & Juvenile Court.

**Be It Enacted by the Legislature of Alabama:**

Section 1. There is hereby created and established in Elmore County, a court of record to be known as and called the Law & Juvenile Court, which Court shall have and exercise civil and criminal jurisdiction as hereinafter provided.

Section 2. The Law & Juvenile Court shall have civil jurisdiction in all civil matters of which justices of the peace of Elmore County have jurisdiction under the general laws of the State of Alabama, concurrently with the several justices of the peace in the county; and in addition thereto, the court shall have jurisdiction, concurrently with the circuit court of Elmore County, of all matters, suits, and actions at law which are in amount more than the jurisdiction of the justices of the peace, and not more than \$1,500 and when the value of the property sued for in a suit in detinue is not more than \$1,500 provided, however, that the court shall not have and exercise civil jurisdiction of actions in the nature of ejectment; and the court shall have original jurisdiction, concurrently with the circuit court of Elmore County, of all misdemeanors committed in the county. It shall have preliminary jurisdiction of all felonies, and of bastardy and of other criminal and quasi-criminal proceedings cognizable before justice of the peace courts. The court shall have jurisdiction of all matters, suits, and actions cognizable before a juvenile court; and of all cases of desertion and non-support arising under the provisions of Article 3, Chapter 4, Title 34, Code of Alabama (1940). The jurisdiction of the Law and Juvenile Court, as hereinabove provided, shall be coextensive with the county. The court may suspend execution of sentence and place on probation any person convicted of a misdemeanor, the same as the circuit court, and the period of probation or suspension of execution of sentence shall be determined by the court.

Section 3. The judge of the court shall have been a resident in and a qualified elector of the county for at least two years at the time of his appointment or election, and shall reside in the county during his continuance in office. He shall be at least 25 years of age, learned in the law and shall have been admitted to the practice of law in this state. He shall not during his term of office act as attorney in any case or matter that has previously been in or is in this court, but may practice in all other matters and all other courts. This act shall become a law and be in full force and effect upon its passage and approval by the Governor, but it shall not affect the term of office of the present judge of the Elmore County Court or his successor in office. Such incumbent judge shall be the judge of the court created and established herein until the first Monday after the second Tuesday in January, 1975, and until his successor is elected and qualified as now required by law, or as provided in this act. He shall perform the duties, and receive the compensation as herein provided for the judge of this court.

Section 4. The term of office of the judge of this court, who shall be elected by the qualified electors of the county, at the general election for state and county officers in the year 1974 and every six years thereafter, shall be for six years from the first Monday after the second Tuesday in January, 1975, and until his successor is elected or appointed and qualified. Upon the passage and approval of this act, or upon its otherwise becoming a law, the Governor shall issue a com-



mission to the incumbent judge of the Elmore County Court at the time this act becomes effective as judge of the Law & Juvenile Court, as herein provided; and after the election of the judge of this court as herein provided the Governor shall likewise issue to him a commission as such Judge. Before entering upon the duties of his office, the judge of this court shall take the oath of office in the form required by law to be taken by judges of the circuit court of this state and he shall be removed from office for the same causes and in the same manner as is now or may be hereafter provided for removal of circuit judges. In the event of the vacancy caused by his resignation, removal or death of the judge, or for other causes, the Governor shall fill the office by appointment and the person so appointed shall hold office as provided for in Section 158 of the Constitution of this state. In case the judge shall be unable at any time to discharge the duties of his office by reason of sickness, disqualifications, or other causes, the judge shall make, or cause to be made by the clerk thereof, when the facts warrant it, an order setting forth the reasons of his inability to sit in the court, and the order shall be spread on the minutes of the court. Thereupon, the clerk of this court shall designate and appoint in writing, which appointment shall be spread on the minutes of this court, some practicing attorney of the county or State of Alabama who is learned in the law, as special judge thereof, and the person so designated and appointed shall perform all of the duties and exercise all of the powers and authority of the judge of this court, and shall hold said office until the regular judge thereof shall resume his duties. The said special judge shall receive not less than \$5.00 nor more than \$50.00 as compensation for his services for each day he serves as judge of this court, said compensation to be fixed by the clerk of said court payable in the same manner and from the same funds as the compensation of the regular judge is paid. The regular judge of this court shall have authority to administer oaths, and take acknowledgements and affidavits in all cases, and to solemnize marriages, the same as circuit judges of this State.

Section 5. The judge of the Law & Juvenile Court shall receive a salary of Twelve Thousand Five Hundred Dollars (\$12,500) per annum, payable in equal monthly installments out of the general fund of the county, upon the warrant of the probate judge. Such judge is hereby authorized and directed to issue monthly warrants which shall be a preferred claim against the general fund.

Section 6. The clerk of the Circuit Court of the County shall act and be clerk of the Law & Juvenile Court, hereby established, and he shall keep a civil and criminal docket of all cases brought before the court, and all of the minutes and records as are now required by law to be kept by clerks of the circuit courts, and he shall have authority to issue all necessary summonses and complaints as to all cases filed in the court, and all other civil and criminal process which clerks of the circuit courts are now required or empowered by law to issue. He shall have authority to swear witnesses at the trial of all cases in the court. It shall be the duty of the clerk to tax and collect in each civil and criminal case in the Law & Juvenile Court the same costs and fees for services of the solicitor, the clerk, the sheriff, and the witnesses as are now allowed by law to be taxes, charged, and collected in the circuit court of this state, which he shall disburse as is now required of said fees in the circuit courts of Elmore County, except as may be hereinafter provided. It shall also be the duty to collect, or receive from the sheriff, all fines and forfeitures in the court, which together with the solicitor's fees taxed and collected in the court, he shall pay into the fine and forfeiture fund of the county, in the same manner as now provided for the disposition of such funds in the circuit court of Elmore County. The clerk shall tax

in each civil case, except when the amount involved is less than \$101.00, a trial fee of two dollars and shall tax in all criminal cases a trial fee as hereinafter provided, to be collected as all other costs are collected, and when collected, to be paid into and become a part of the general fund of the county. The court costs and fees in all prosecutions in the Law & Juvenile Court for violations of the prohibition laws, for carrying a concealed weapon, and for petit larceny or offenses or petit larceny grade, adultery, and assault with a weapon, shall be the same as those prescribed for county courts by the general laws of the state, except that the trial tax in such cases shall be three dollars. The court costs and fees for misdemeanors other than violation of the prohibition laws, carrying a concealed weapon, petit larceny or offenses punishable like petit larceny, adultery, and assault with a weapon, in bastardy proceedings, in peace proceedings, and in preliminary examinations shall be the same as those prescribed by the general laws of the state; provided, that in all such cases the trial tax shall be one dollar and no solicitor's fee shall be taxed as a part of the cost. Witness fees taxed and collected in civil cases shall be retained by the clerk and paid over to any witness entitled to such fee, who in not more than five days proves his attendance upon the court in any case therein pending by obtaining a witness certificate, and who presents to he clerk such certificate for payment within ninety days after the payment of costs in the cases in which the certificates were issued. No costs shall be taxed in any civil cases for witness fees of any witness who fails to prove his attendance as a witness and to obtain a witness certificate within the five day period prescribed. In case any civil witness certificate is issued, but not presented for payment within ninety days after the payment of costs in the case in which the certificate was issued, the witness fee shall revert to he general fund of the county. The clerk shall pay to he county treasurer, for the use of the general fund, all such reverted fees in his hands on the first Monday of each month. State witness fees in criminal cases shall be taxed, collected, paid into, and disbursed from the fine and forfeiture fund of the county. Each witness attending court in civil cases shall be entitled to seventy-five cents per day and five cents per mile actually travelled by he most direct route in going to court and returning home and the witness fees shall be taxed as a part of he costs and shall be collected and disposed of as herein provided. It is expressly provided that Act. No. 586 approved September 8, 1967 (1967 Acts of Alabama, Volume II page 1358 and 1359), shall apply to said court, and that the costs and fees provided for therein shall be collected in addition to the costs and fees provided for in this Act. The clerk shall attend upon the sessions of the court at such hours as are designated by the judge thereof and shall perform such other duties as may be prescribed by the judge of the court and by his act, either in person or by deputy. The clerk shall issue certificates of judgments of the court, in the same form as is now provided by law for issuance of certificates of judgments from the circuit courts. The owner of any judgment rendered by he court may file in the office of the judge of probate of any county in this state such certificate of judgment issued by he clerk as hereinabove provided, under the same procedure and in the same manner as is now or may hereafter be provided for filing certificates of judgments rendered by he circuit courts of this state; and when so filed such judgments shall be lien in the county where filed on all property of the defendant which is subject to levy and sale under execution. The filing of such certificate of judgment shall be notice to all persons of the existence of the lien thereby created. Such lien shall continue for ten years from the date of such judgment and no insolvency proceedings or declaration of insolvency shall affect or impair such lien, except bankruptcy proceedings instituted within four months after the filing of the certificate,

provided by law. Execution may be issued at any time within ten years from the date of such judgment, whether execution has been previously issued or not. The clerk of the court, before entering into the duties of his office, shall give bond in such penal sum as may be prescribed by the court of county commissioners of the county, payable and conditioned as are official bonds required of clerks of the circuit courts, to be taken and approved by the judge of probate of the county, and recorded in the probate office of the county. There shall be the same liabilities and remedies upon said bonds as upon bonds of the clerks of the circuit court of this state. The premium on the bond or bonds shall be paid out of the general fund of the county.

Section 7. The sheriff of Elmore County shall, in person, or by deputy, be required to attend upon the court and to preserve order and execute all writs or process issued therefrom, and to perform such other duties in all respect as he is required by law to perform in the circuit court of Elmore County.

Section 8. The deputy solicitor for the county shall prosecute for the state all criminal cases in the court created by this act. His entire compensation shall be a salary of Four thousand eight hundred dollars (4,800.00) per annu, to be paid out of the general fund of the county in equal monthly installments on the warrant of the probate judge. Such warrants shall be preferred claims against the general fund of the county.

Section 9. There shall be a Tallassee Division and a Wetumpka Division of the Court. The Tallassee Division shall include and be composed of the following beats or precincts in Elmore County, viz: Precinct 1, precinct 2, precinct 3, precinct 4, precinct 13, and precinct 19; and the Wetumpka Division shall include and be composed of the following precincts in Elmore County, viz: Precinct 5, precinct 6, precinct 7, precinct 8, precinct 9, precinct 10, precinct 11, precinct 12, precinct 14, precinct 15, precinct 16, precinct 17, and precinct 18. The sessions of the court of the Tallassee Division shall be held at some place in the city of Tallassee or in the police jurisdiction thereof, and the sessions of the court of the Wetumpka Division shall be held at the court house in the city of Wetumpka. The court, at the discretion of the judge, shall be open any day during the week, except Sunday, for the trial of cases coming within the jurisdiction of the court. On the first and third Mondays of each month there shall be held a session of the court for the handling trial, and disposition of all criminal and quasi-criminal cases therein pending in the Wetumpka Division of Elmore County, which shall continue as long as necessary to dispose of the docket; and on the second Monday of each month there shall be held a session of the court for the handling, trial and disposition of all cases therein pending in the Tallassee Division of Elmore County, which shall continue as long as necessary to dispose of the docket. On the fourth Monday of each month, there shall be held a session of the court in the Wetumpka Division for the handling, trial and disposition of all civil cases therein pending which shall continue as long as necessary to dispose of the docket. But any session of the court in either of the divisions may be dispensed with and continued by the judge when, in the opinion of the judge, the public good or public necessity requires such continuance. As to all civil and criminal actions of which the court shall have jurisdiction, the venue of the acts shall be determined as if each of the two divisions of the county hereinabove provided for constituted a separate county, except that after any actions instituted in either division of the court, the judge of the court shall have the power and authority to order the transfer or removal of any such action to the other division of the court for trial. All suits and actions on contract or in tort except as otherwise pro-

vided in this act must be brought in the division in which the defendant or one of them resides or in which the debt was created or cause of action arose.

Section 10. All prosecutions for misdemeanors may be instituted in the court by making affidavit before the judge or the clerk of the court, and the writ on said affidavit shall be issued by the clerk. In all preliminary proceedings in prosecutions for felonies begun in the court, the same may be instituted by affidavit before the judge or clerk, and the writ thereon shall be issued by the judge or the clerk. When the defendant is arrested on affidavit and the warrant charging a misdemeanor the case shall go to the docket for trial and be tried as though the defendant has been indicted by a grand jury, except as hereinafter provided. The defendant shall not be put upon trial in any cause within five days of his arrest, except with his consent. The judge of the court shall have the right and authority to issue all processes returnable into his court that are not especially provided to be issued by the clerk of the court, but he shall not prepare any summons and complaints, garnishments, detinue attachments, papers or other writs of process issuing out of said courts. All writs must be made returnable to the division of this court in which he alleged crime was committed.

Section 11. All criminal cases in the court shall be tried by the judge thereof without a jury, and the accused shall not have the right to demand a trial by jury, but in all trials of criminal cases in the court, the judge shall determine both the law and the facts without the intervention of a jury, and in cases of conviction the defendant shall have the right to appeal to the circuit court as provided for in Section 326 of Title 13 of the Code of Alabama (1940) except that appeal bonds shall be approved by the clerk of the court, and a jury trial may there be had on the demand of the defendant, made at the time of taking the appeal.

Section 12. A party aggrieved or desiring to bring a charge of misdemeanor before this court may, upon applying to the judge or clerk for a warrant of arrest and upon making affidavit in writing that he has probable cause for believing and does believe, that a specifically identified property, as the case may be, then the judge or clerk of the court shall examine the affiant under oath, and other witnesses if he so desires, touching the offense charged in the affidavit, and if the judge or clerk has probable cause for believing that the offense alleged in the affidavit has been committed he shall issue his warrant of arrest as hereinabove provided. When there is an objection to the validity or sufficiency of an affidavit, complaint, or warrant pending in this court or when a defect appears in any of the same, the solicitor or other person prosecuting for the state shall have the right to amend any or all the papers to which the objection is directed, or where such defect appears; or the solicitor may instead of amending the papers, make a brief statement of the cause of complaint signed by him, which may be substantially in the form provided in Section 259 of Title 15 of the Code of Alabama (1940) as amended and may be amended as herein provided. Thereupon the court shall proceed to try the case either upon the original papers or the original as amended, or upon the statement or statements filed by the solicitor or other person prosecuting for the state.

Section 13. All proceedings in the court as to judgment for fine and costs, confession of judgment and executions thereon, sentence to jail or hard labor for fines and costs, and as additional punishment, bail, conditional judgments, forfeitures, judgments, final and alias warrants of arrest, shall be the same in the Law & Juvenile Court, as

are now; and conditional judgments may be set aside therein, reduced, or made absolute and the same orders and judgments may be made and taken in such matters as could be made or taken in the circuit courts; and the same procedure shall be followed, except as otherwise provided by this act.

Section 14. The trial of all criminal appeals from this court in the circuit court shall be de novo, and without any indictment or presentment by the grand jury; but the solicitor shall make a brief statement of the cause of complaint signed by him, in substantially the form prescribed by Section 259 of Title 15 of the Code of Alabama (1940), as amended, or the trial may proceed upon the original affidavit or complaint. On the trial of such appeal, the court shall be governed by the same rules as to evidence, practice, finding of the jury, and punishment as if the case had originated in that court.

Section 15. All general laws relating to misdemeanors, now in force or that may hereafter be enacted, shall apply to and extend to this court, unless the contrary be expressly provided or limited by the laws so enacted.

Section 16. In all civil actions in this court, the pleadings and process and the time for filing pleadings shall conform to and be governed by the statute and rules obtaining in the circuit court of Elmore County, except that the issuance, levy, and collection of executions from this court shall be controlled by the laws now applicable to justice courts of this state, and the defendant shall have only ten days to plead, answer, or demur to a complaint filed against him.

Section 17. In all civil matters in this court the trial of the same shall in all respects be governed by the same rules of pleading, evidence, procedure, and practice as now prevail or govern in the circuit courts of this state, except as hereinafter provided. A partly litigant after being served with statutory interrogatories shall be required to answer the interrogatories within thirty days, and upon his failure to do so shall be subject to the same pains and penalties as are now provided by law for failure to answer interrogatories propounded in the circuit court. Any party desiring to appeal from any judgment rendered in this court, except from judgments for the possession of real estate, may give security for the cost of the appeal in the form of an appeal bond, said bond to be approved by the clerk of said court; provided that if the party appealing desires to have the judgment superseded, when the judgment is for the payment of money or for the recovery of possession of personal property he may do so by giving a supersedeas bond with good and sufficient security or surety in such an amount as herein provided payable to the adverse party and approved by the clerk with the condition that if he fail in the appeal he will pay such judgment as the circuit court may render in the premises and all such cost and damages as any party aggrieved may sustain by reason of the wrongful appeal and suspension of the execution of the judgment. The appeal bond and security of surety for court cost and supersedeas bonds must be filed with and approved by the clerk within ten days from the date of the rendition of the judgment. The supersedeas bond shall be in an amount double the amount of the judgment and cost of court in the case of a judgment for the recovery of or possession of personal property. Any party desiring to appeal from any judgment rendered in his court for the possession of real estate may do so and that appeal shall be governed in all respects, including time allowed within which to take the appeal, amount and condition of appeal bond and in all other respects, by the general laws of this state relating to appeals in such cases from judgments of justice of the peace courts. Notice of all appeals in civil cases from this court shall

be given the adverse party in such manner and for such time as is prescribed by the general laws of this state relating to notice of appeals from judgments rendered in justice of the peace courts.

Section 18. All civil cases in this court shall be tried by the judge without the intervention of a jury. The judge shall determine both the law and the facts, and either party shall have the right to appeal to the circuit court as hereinabove provided, and on appeal either party may demand a trial by jury on the trial in the circuit court and the trial in the circuit court shall be de novo.

Section 19. Final judgments rendered in civil causes in such court shall after the expiration of ten days from their rendition be taken and deemed to have passed beyond the control of the court, as if such term of the court at which the judgments were rendered had ended; provided, however, that nothing herein contained shall prevent the parties from filing a motion to vacate, set aside, or modify such judgment or grant a new trial or rehearing within ten days, or change or destroy the office of motion for a new trial or rehearing, when so made, such motions shall be filed with the clerk of the court and called to the attention of the court, and the court may thereupon hear the motion or make an order continuing the motion for hearing at a future day, which motion shall be heard and determined within thirty days from the date of rendering the judgment.

Section 20. The judge of this court shall have the power to impose fines and sentence to hard labor upon convictions in misdemeanor cases, and to punish for contempt by fine not to exceed \$50 and imprisonment in the county jail not to exceed five days, either or both, the same as judges of the circuit courts of this state. The judge of this court shall also have power to issue, hear, and determine writs of habeas corpus. The procedure, practice, and rules of the circuit courts of Alabama relating to such writs as are now, or which hereafter may be provided by law shall prevail in the Law & Juvenile Court, and appeals from judgments or decrees in habeas corpus proceedings shall be governed by Code 1940, Title 15, Section 369. The judge shall have the same power relating to such writs as is now, or hereafter may be, conferred upon the judges of the circuit courts of Alabama; and such power shall extend to all cases where the judges of the circuit courts have the authority to issue such writs.

Section 21. The judge of this court shall keep an office in the courthouse of the county, or in such other suitable place in the county as the county commission may provide; and it shall be the duty of the county commission to provide an office for the judge, and to furnish and supply the office with the necessary fixtures, stationery, stamps, telephone, lights, heat, and other necessary supplies for the judge of this circuit; and it shall be the duty of the county commission, and they are hereby directed and authorized, to supply the clerk of the court the necessary minute books, dockets, blank forms, record books, and such other books, records, and blank forms, as are reasonably necessary to the dispatch of the business of this court.

Section 22. The Elmore County Court is hereby abolished and all cases and causes now pending in such court, together with the records pertaining to such pending cases, are hereby transferred to the Law & Juvenile Court. Immediately upon the passage and approval of this act or upon its otherwise becoming a law, such court shall assume complete jurisdiction over all such pending cases, and shall have the same power and control over the same as if they had been originally filed in the Law & Juvenile Court, except as to appeals in habeas corpus cases. The clerk of this court shall enter on the appropriate dockets of this court, all cases now pending in the Elmore County Court.

All judgments heretofore rendered by such court shall be the same and shall have the same force and effect as if they had been rendered by the Law & Juvenile Court, and such court shall have the same power and control, except as to appeals in habeas corpus cases, over such judgments and shall issue executions and all other processes thereon, the same and as fully and completely as if such judgments had been originally rendered in the Law & Juvenile Court. All of such executions and other processes issued on judgments heretofore rendered by the Elmore County Court shall be issued by the clerk of the Law & Juvenile Court.

Section 23. If, or any reason any section, clause, or provision of this act shall be declared to be invalid, or unconstitutional it shall not be held to effect any other section clause or provisions, but the same shall remain in full force and effect.

Section 24. All laws and parts of laws, whether local, general or special, in so far as they conflict with the provisions of this act, are hereby repealed.

Section 25. This act shall become effective October 1, 1971.

#### THE STATE OF ALABAMA ELMORE COUNTY

Before me the undersigned authority personally appeared Jack B. Venable, who, by me first being duly sworn, deposes and says that he is the publisher of The Tallassee Tribune, weekly newspaper published at Tallassee in Elmore County, Alabama, and that the attached notice: A Bill to be Entitled an Act, was published in said newspaper for 4 successive weeks to-wit: June 24, July 1, 8, and 15, 1971.

JACK B. VENABLE.

Sworn to and subscribed before me this 23rd day of July, 1971.

JIMMY L. BALLENTINE,  
Notary Public.

My commission expires 7/10/74.

Also:

By Mr. O'Daniel:

H. 1739. To amend further Section 1, Act No. 47, H. 100, Special Session, 1962, as amended by Section 1, Act 441, S. 192 Special Session, 1966, an Act fixing the compensation of certain officers of Elmore County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

TO AMEND FURTHER SECTION 1, ACT NO. 47, H 100, SPECIAL SESSION, 1962, AS AMENDED BY SECTION 1, ACT 441, S 192 SPECIAL SESSION, 1966, AN ACT FIXING THE COMPENSATION OF CERTAIN OFFICERS OF ELMORE COUNTY, ALABAMA:

Be It Enacted by the Legislature of Alabama:

Section 1. The annual salaries of the following county officers shall be the amount hereinafter provided, which shall be paid in equal monthly installments out of the general fund of the county as provided by law:

1. The Judge of Probate shall receive an annual salary of Fifteen Thousand Five Hundred (\$15,500.00) Dollars.

2. The Tax Assessor shall receive an annual salary of Twelve Thousand (\$12,000.00) Dollars

3. The Tax Collector shall receive an annual salary of Twelve Thousand (\$12,000.00) Dollars.

4. The Clerk of the Circuit Court shall receive an annual salary of Nine Thousand Two Hundred (\$9,200.00) Dollars.

5. The Register in Chancery shall receive an annual salary of Two Thousand Eight Hundred (\$2,800.00) Dollars.

Section 2. This act shall become effective on October 1, 1971.

THE STATE OF ALABAMA  
ELMORE COUNTY

Before me the undersigned authority personally appeared Jack B. Venable, who, by me first being duly sworn, deposes and says that he is the publisher of The Tallassee Tribune, weekly newspaper published at Tallassee in Elmore County, Alabama, and that the attached notice: To Amend Further Section 1, Act 47, H 100, was published in said newspaper for 4 successive weeks to-wit: June 24, July 1, 8, and 15, 1971.

JACK B. VENABLE.

Sworn to and subscribed before me this 15th day of July, 1971.

JIMMY L. BALLENTINE,  
Notary Public.

My commission expires 7/10/74.

Also:

By Mr. Grey (D):

H. 1742. Relating to all counties having a population of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; to withdraw and take away criminal and quasi-criminal jurisdiction from justices of the peace and notaries public ex officio justice of the peace, and vest such jurisdiction in the County Courts.

JOHN W. PEMBERTON,  
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1726, 1727, 1728, 1729, 1730, 1732, 1733, 1734, 1735, 1736, 1737, 1739 and 1742. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:



By Mr. Smith (P):

H. 1579. To repeal Act No. 147, H. 134, Special Session 1971, approved May 11, 1971, entitled "An Act Relating to counties having a population of not less than 65,000 nor more than 68,000 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published."

Also:

By Mr. Smith (P):

H. 1583. Relating to Talladega County; authorizing the county governing body of such county and the governing body of any municipality within such county to contribute public funds for a volunteer rescue squad.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Talladega County; authorizing the county governing body of such county and the governing body of any municipality within such county to contribute public funds for a volunteer rescue squad.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply to Talladega County.

Section 2. The board of revenue, court of county commissioners or other like governing body of such county is hereby authorized to appropriate, or expend county funds for the purpose of providing contributions for the use of any organized and established volunteer rescue squad operating within the county. After the county governing body shall have duly adopted and recorded in its minutes a resolution to make such contributions, payment shall be made from any funds in the county treasury not otherwise appropriated upon the warrant of the chairman of the county governing body.

Section 3. The governing body of any municipality in such county is likewise authorized to contribute municipal funds to such rescue squad when its governing body shall have duly adopted and recorded in its minutes a resolution to make such contributions. Payment shall be made from municipal funds upon the warrant signed by the mayor or other presiding officer of the municipal governing body.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Charles H. Greer, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA NEWS, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 24, 1971, July 1, 1971, July 8, 1971, and July 15, 1971.

CHARLES H. GREER.

Subscribed and sworn to before me this 16th day of July, 1971.

VELERA R. PAYNE,  
Notary Public.

Also:

By Mr. Smith (P):

H. 1584. Applying to Talladega County; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Applying to Talladega County; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever any judge of the circuit court of Talladega County is accepted to attend the National College of State Trial Judges at any place not within the State of Alabama, such judge shall be allowed his necessary expenses of travel to and from such place and also shall be allowed his reasonable expenses, not to exceed thirty dollars per day or a maximum of \$1,200, actually incurred for maintenance while attending such college outside the State of Alabama.

Section 2. A statement of such expenses shall be rendered by such circuit judge and be returned to the court of county commissioners, board of revenue, or other like governing body of the county within thirty days after such judge's return home. It shall not be necessary for such statement to be accompanied with vouchers or receipts, but

such statements shall be sworn to by such judge. When such statement has been approved by the court of county commissioners, board of revenue, or other like governing body of the county a warrant shall be drawn in favor of such judge for the amount thus approved, which warrant shall be paid by the county treasurer out of any moneys in the county treasury not otherwise appropriated.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Charles H. Greer, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA NEWS, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 24, 1971, July 1, 1971, July 8, 1971, and July 15, 1971.

CHARLES H. GREER.

Subscribed and sworn to before me this 16th day of July, 1971.

VELERA R. PAYNE,  
Notary Public.

Also:

By Mr. Smith (P):

H. 1585. Applying to Talladega County; creating an assistant clerk in certain divisions of the county courts in such county and providing for the pay thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Applying to Talladega County; creating an assistant clerk in certain divisions of the county courts in such county and providing for the pay thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. In Talladega County the Judge of the Southern division of the county court shall, with the approval of the Court of County Commissioners, Board of Revenue or like governing body of such county,

appoint an assistant clerk of such division who shall have the same power and authority as the clerk of such division. Such assistant clerk shall receive as compensation for the services required of him a monthly salary to be paid from the general fund of such county, in such amount as is fixed by such Judge, with the approval of the Court of County Commissioners, Board of Revenue, or like governing body of such county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### THE STATE OF ALABAMA

##### TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Charles H. Greer, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA NEWS, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 24, 1971, July 1, 1971, July 8, 1971, and July 15, 1971.

CHARLES H. GREER.

Subscribed and sworn to before me this 16th day of July, 1971.

VELERA R. PAYNE,  
Notary Public.

Also:

By Mr. Smith (P):

H. 1586. Relating to Talladega County, to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA

##### COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Talladega County, to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Be It Enacted by the Legislature of Alabama:

Section 1. In Talladega County, any bank having an authorized office of place of business in any city or town in such county may establish, maintain, and operate additional offices of additional places of business in such county in any city or town having a population of not less than 600 inhabitants, according to the last or any subsequent federal decennial census, upon obtaining the approval of the state superintendent of banks; provided, however, that no bank may establish, maintain or operate such a branch or additional office or place of business within any incorporated municipality within the county in which a bank is already established.

Section 2. This Act shall become effective immediately upon its passage and approval of the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Charles H. Greer, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA NEWS, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 24, 1971, July 1, 1971, July 8, 1971, and July 15, 1971.

CHARLES H. GREER.

Subscribed and sworn to before me this 16th day of July, 1971.

VELERA R. PAYNE,  
Notary Public.

Also:

By Mr. Smith (P):

H. 1587. Applying to Talladega County; prescribing the civil jurisdiction of the county court of such county; and placing certain limitations on the judges thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Applying to Talladega County; prescribing the civil jurisdiction of the county court of such county; and placing certain limitations on the judges thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only to Talladega County.

Section 2. In addition to the jurisdiction and powers now conferred upon the county court of such county, it shall have and may exercise jurisdiction in all civil matters, suits, actions at law in which the amount involved is not more than the sum of \$1,500. Any such jurisdiction shall be concurrent with any such jurisdiction now exercised by any court in the county.

Section 3. Neither the judges of such county court nor their partners shall practice law in any criminal case or juvenile case in any court in the county; and such judges shall not during their respective terms of office, nor shall their partners act as attorney in any case or matter that has previously been in or is in the court of which he is a judge. He may, however, except as hereinabove provided, practice in all other matters and all other courts.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### THE STATE OF ALABAMA TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Charles H. Greer, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA NEWS, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 24, 1971, July 1, 1971, July 8, 1971, and July 15, 1971.

CHARLES H. GREER.

Subscribed and sworn to before me this 16th day of July, 1971.

VELERA R. PAYNE,  
Notary Public.

Also:

By Mr. Smith (P):

H. 1588. Applying to Talladega County; to better secure the enforcement of laws in such county, to further prescribe the duties of the Sheriff and District Attorney in the enforcement of such laws and to provide for the payment of the expenses incurred in connection therewith.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Applying to Talladega County; to better secure the enforcement of laws in such county, to further prescribe the duties of the Sheriff and District Attorney in the enforcement of such laws and to provide for the payment of the expenses incurred in connection therewith.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Talladega County.

Section 2. The Sheriff in such county whenever directed to do so in writing by the District Attorney for the Circuit in which such county is located, shall make special or further investigation of any alleged violations of the law in such county and in connection therewith may incur such expenses as may be necessary.

Section 3. The expenses of such investigations or investigations when so ordered shall be paid from the County treasury upon a warrant properly drawn; and after the investigation is completed, the Sheriff shall file with the Board of Revenue or Court of County Commissioners a detailed sworn statement of his expenses incurred in accordance with this act accompanied by the written approval of the District Attorney ordering such investigation, and the Board of Revenue or Court of County Commissioners shall audit and allow so much thereof as it finds reasonably necessary. Provided, however, the total of all allowable expenses under this act shall not exceed \$1,200.00 in any calendar year.

Section 4. The expenses authorized to be incurred under this act shall include but not be limited to the following: The procuring of photographs or other documentary evidence, the scientific investigation of physical evidence, the expenses incidental to autopsies, whether performed before or after burial, the reporting and transcribing of testimony before the Grand Jury, at preliminary hearings, at the hearings of petitions for writs of habeas corpus, and the reporting and transcribing of statements of witnesses to such alleged violations of law.

Section 5. All laws or parts of laws in conflict with this act are hereby expressly repealed. Provided, however, that this act shall not be so construed as to prevent the said sheriff from incurring and being reimbursed for expenses in connection with the performance of his duties for which he is now allowed reimbursement by law, it being the intention of this act to authorize the reimbursement of expenses incurred by said sheriff in connection with the investigation of alleged violations of the law for which no provision for reimbursement is now made by law.

Section 6. This act shall be effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

THE STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Charles H. Greer, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA NEWS, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues

hereof dated as follows: June 24, 1971, July 1, 1971, July 8, 1971, and July 15, 1971.

CHARLES H. GREER.

Subscribed and sworn to before me this 16th day of July, 1971.

VELERA R. PAYNE,  
Notary Public.

Also:

By Messrs. Pruitt and Manley:

H. 1597. To authorize the Sumter County Commission to levy and collect a privilege or excise tax on the privilege of selling, using, consuming, distributing, storing or withdrawing from storage in Sumter County malt or brewed beverages; to provide that such tax shall be in addition to all other taxes on such malt or brewed beverage; to prescribe the maximum rate of such tax; to provide for the collection, distribution and use of any tax levied under this act; and to prescribe penalties.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICES

#### STATE OF ALABAMA COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To authorize the Sumter County Commission to levy and collect a privilege or excise tax on the privilege of selling, using, consuming, distributing, storing or withdrawing from storage in Sumter County malt or brewed beverages; to provide that such tax shall be in addition to all other taxes on such malt or brewed beverage; to prescribe the maximum rate of such tax; to provide for the collection, distribution and use of any tax levied under this act; and to prescribe penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. The Sumter County Commission or other like governing body may levy and collect a privilege or excise tax on the privilege of selling, using, consuming, distributing, storing, or withdrawing from storage in said county malt or brewed beverages. Such tax shall be in an amount not in excess of two cents on each twelve fluid ounces, or fractional part thereof of malt or brewed beverages sold, used, consumed, distributed, stored or withdrawn from storage in Sumter County. Such tax shall be in addition to any and all other taxes heretofore or hereafter levied on such beverages; provided, that where the amount of the tax levied pursuant to this act has been paid by a distributor, manufacturer, retail dealer or storer such payment shall be sufficient, the intent being that the tax authorized by this act shall be paid but once.

Section 2. The Sumter County Commission may, in its sole discretion, levy the tax hereby authorized and, within the above prescribed



limit, may fix the amount of the tax. If such governing body levies any tax pursuant to this act it shall provide for the collection and enforcement of such tax at the same time and in the same manner that the taxes on malt and brewed beverages levied by Act No. 498, H. 736 of the Regular Session of 1967 (Acts 1967, Vol. 2, p. 1208) are collected and enforced.

Section 3. The proceeds of any taxes levied by the governing body of Sumter County, pursuant to this Act, shall be, in all things handled in the same manner prescribed for handling the taxes collected pursuant to said Act No. 498 of the Regular Session of 1967, the same amount or percentage thereof being allowed for the collection of the tax and the net proceeds being distributed to the General Fund of the Sumter County Commission to be used by the governing body of said county at its discretion.

Section 4. For the purposes of this act all words and phrases defined in Code of Alabama 1940, Title 29 shall have the same meanings ascribed to them in such Code, or customarily accorded to them in connection with the collection and enforcement of the tax levied by said Act No. 498 of 1967.

Section 5. Any person, firm or corporation who violates any duly adopted rule or regulation of the Sumter County governing body relative to any tax levied under this Act shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

Section 6. Any person, firm or corporation who fails to pay the tax levied pursuant to this Act shall be liable for the same penalties prescribed by said Act No. 498 for failure to pay the tax levied by such Act.

Section 7. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this act are repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared David Poynor, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Home-Record, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1971.

DAVID POYNOR.

Sworn to and subscribed before me July 19, 1971.

CARLTON E. VAUGHAN,  
Notary Public.

Also:

By Messrs. Manley and Pruitt:

H. 1598. To repeal Act No. 185, H. 566, approved July 25, 1963, Regular Session 1963 (Acts 1963, p. 569), entitled, "An Act Relating to counties having populations of not less than 27,000 nor more than 30,000; regulating the compensation of the county superintendent of education of such counties."

Also:

By Messrs. Manley and Pruitt:

H. 1599. To repeal Act No. 49, H. 350, approved June 25, 1969, Regular Session 1969 (Acts 1969, p. 342), entitled, "An Act Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances."

Also:

By Mr. May:

H. 1702. To alter and rearrange the boundary lines of the city of Brewton, Alabama so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said city.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that a local bill reading substantially as follows will be introduced for passage by the Legislature of Alabama:

#### AN ACT

TO ALTER AND REARRANGE THE BOUNDARY LINES OF THE CITY OF BREWTON, ALABAMA SO AS TO INCLUDE WITHIN THE CORPORATE LIMITS OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY IN ESCAMBIA COUNTY, ALABAMA CONTIGUOUS TO SAID CITY.

Be It Enacted by the Legislature of Alabama:

Section 1. That from and after the passage and approval of this Act the boundary lines of the City of Brewton, Escambia County, Alabama, be and the same are altered and rearranged so as to include within the corporate limits of said City, in addition to the territory included within its present corporate limits, the territory described as follows:

Commence at the Northwest Corner of the Northwest Quarter of the Southeast Quarter (NW Cor. of NW-¼ of SE-¼) of Section Eight (8), Township Two (2) North, Range Ten (10) East and run thence South a distance of 907.5 feet; thence run East a distance of 363 feet and to a point on the East right of way line of County Highway #49 (Appleton Road) to make or form a starting point for this description; thence continue East a distance of 2317.25 feet; thence run South (0 degrees 28') 0 degrees 28 minutes East a distance of 495 feet; thence run West a distance of 2169.60 feet and to a point on the East right of

way line of County Highway #49 (Appleton Road) as same is presently located; thence run North 17 degrees 2 minutes (17 degrees 2') West along the right of way of the County Highway #49 (Appleton Road) as same is presently located a distance of 517.70 feet and back to the point of starting. SAID PROPERTY IS FURTHER DESCRIBE AS "ALEXANDER HEIGHTS" OF ESCAMBIA COUNTY, ALABAMA WHICH IS A SUBDIVISION OF THE PROPERTY HEREINABOVE DESCRIBED BY METES AND BOUNDS THE PLAT ON SAME BEING RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE IN ESCAMBIA COUNTY ALABAMA IN PLAT BOOK 5 AT PAGE 84.

Section 2. That this Act shall go into effect immediately upon its approval by the Governor.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA ESCAMBIA COUNTY

I, Tom Gardner, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for 4 consecutive weeks, namely in the issues of June 17, 1971, June 24, 1971, July 1, 1971, and July 8, 1971.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

TOM GARDNER.

Subscribed and sworn to before me this 12th day of July, 1971.

ALICE SUMMERVILLE,  
Notary Public, State at Large, Ala.

Also:

By Messrs. Cross and Carter:

H. 1717. To amend the title and Section 1 of Act No. 611, H. 754, Regular Session 1967 (Acts 1967, p. 1416), which provides for the appointment of an additional clerk as assistant to the clerk by the circuit court clerk in certain counties classified on a population basis.

Also:

By Messrs. Cross and Carter:

H. 1718. To amend the title and Section 1 of Act No. 1182, H. 1320, Regular Session 1969 (Acts 1969, p. 2211), which provides for the qualifications of the superintendent of education in certain counties classified on a population basis.

Also:

By Messrs. Cross and Carter:

H. 1719. To amend the title and Section 1 of Act No. 63, H. 651, Regular Session 1969 (Acts 1969, p. 354), which provides for the compensation of county superintendents of education in certain counties classified on a population basis.

Also:

By Messrs. Cross and Carter:

H. 1720. To repeal Act No. 27, H. 287, approved June 25, 1965, Regular Session 1965 (Acts 1965, p. 47), entitled, "An Act To regulate the compensation of county superintendents of education in counties having populations of not less than 24,500 nor more than 24,550."

Also:

By Messrs. Cross and Carter:

H. 1721. To amend the title and Section 1 of Act No. 612, H. 755, Regular Session 1967 (Acts 1967, p. 1416), which provides for the appointment and compensation of a clerk for the sheriff in certain counties classified on a population basis.

Also:

By Messrs. Cross and Carter:

H. 1722. To repeal Act No. 305, H. 306, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 774), entitled, "An Act To authorize the county governing body of every county in Alabama, which has a population of not less than 22,550 nor more than 24,550 according to the last or any subsequent federal decennial census, to fix the compensation of the clerk employed by the sheriff, but paid from the county treasury, within limits prescribed in this act and provide for the payment thereof in whole or in part out of the county highway and traffic control fund or out of the general fund."

Also:

By Messrs. Cross and Carter:

H. 1723. To amend the title and Section 1 of Act No. 142, H. 508, Regular Session 1969 (Acts 1969, p. 414), which provides for compensation of members of the county board of registrars in certain counties classified on a population basis.

Also:

By Messrs. Cross and Carter:

H. 1724. To repeal Act No. 49, H. 286, approved June 28, 1965, Regular Session 1965 (Acts 1965, p. 70), entitled, "An Act To regulate and provide for payment of the compensation of certain deputies of the sheriff in counties having populations of not less than 24,500 nor more than 24,550."

Also:

By Messrs. Cross and Carter:

H. 1725. To repeal Act No. 63, H. 434, approved June 30, 1961, Regular Session 1961 (Acts 1961, p. 84), entitled, "An Act To fix the compensation of the county superintendents of education in all counties having populations of not less than 22,550 nor more than 24,550, according to the 1960 or any subsequent federal decennial census."

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1579, 1583, 1584, 1585, 1586, 1587, 1588, 1597, 1598, 1599, 1702, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724 and 1725. To the Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Edwards:

H. 1831. To amend the title and Section 1 of Act No. 31, H. 3, First Special Session 1963 (Acts 1963, p. 102), which provides for regulation of municipal elections in certain cities classified on a population basis.

Also:

By Mr. Edwards:

H. 1832. To amend the title and Section 1 of Act No. 678, S. 879, Regular Session 1969 (Acts 1969, p. 1213), which provides for appropriation of funds for public buildings and furnishings in certain counties classified on a population basis.

Also:

By Mr. Edwards:

H. 1833. To amend the title and Section 1 of Act No. 106, S. 52, Second Special Session 1965 (Acts 1965, p. 144), which provides for the taking of fish from public streams in certain counties classified on a population basis.

Also:

By Mr. Edwards:

H. 1835. To amend the title and Section 1 of Act No. 79, S. 60, Special Session 1962 (Acts 1962, p. 101), which provides for the licensing of and regulating the operation of and hunting on privately owned hunting preserves in certain counties classified on a population basis.

Also:

By Messrs. Carnes and Wynot:

H. 1836. Relating to Counties having populations of not less than 90,000 nor more than 100,000; to provide for Minute Entries in Misdemeanor cases appealed from County Court, a City Recorder's Court, Mayor's Court, Police Court, a Municipal Court, or any Inferior Court, to the Circuit Courts or any other Courts of Record in such counties.

Also:

By Messrs. Carnes and Wynot:

H. 1837. To authorize the Ex-Officio Clerks of the County Courts, in Counties having a population of not less than 90,000 nor more than

100,000 inhabitants, according to the last or any subsequent Federal decennial Census, to destroy all Files, Shucks, or Envelopes, together with all papers filed therein in all Civil Cases in such Courts after the expiration of eight years from the date of final Judgments, provided that the final Judgments have not been revived within six years from date of such Judgments; but no authority is given herein to destroy the Consolidated Docket and Fee Books Sheets, Final Record Books or the Indices in Such Cases.

Also:

By Messrs. Warren and Mims:

H. 1838. To provide further for hospital service for the indigent in Conecuh County; to authorize the hospital board to provide matching funds for said service and to relieve the county governing body of certain duties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide further for hospital service for the indigent in Conecuh County; to authorize the hospital board to provide matching funds for said service and to relieve the county governing body of certain duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing board of the county hospital in Conecuh County shall have the authority, duties and responsibilities now conferred on the county governing body under Act No. 394, H. 204, Regular Session 1957 (Acts 1957, p. 539) and the county governing body is hereby relieved of such authority, duties and responsibilities. The governing board of the hospital shall use hospital funds for the matching funds required by said Act 394 and no county funds shall be used in carrying out the provisions of said Act.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

R G. BOZEMAN, JR.

Sworn to and subscribed before me July 22, 1971.

HAROLD ADAMS,  
Notary Public.

My commission expires April 7, 1973.

Also:

By Messrs. Warren and Mims:

H. 1839. To provide the tax assessor of Conecuh County an allowance for clerical assistance, such allowance to be payable out of the general funds of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide the tax assessor of Conecuh County an allowance for clerical assistance such allowance to be payable out of the general funds of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Conecuh County is authorized to provide an allowance of \$120.00 per month for clerical assistance to the county tax assessor. Such amount shall be paid out of the general fund of the county on warrants issued by the chairman of the county governing body.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and

that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me July 22, 1971.

HAROLD ADAMS,  
Notary Public.

My commission expires April 7, 1973.

Also:

By Messrs. Warren and Mims:

H. 1840. To provide clerical assistants for the office of the judge of probate of Conecuh County, and to provide a clerk hire allowance for the judge of probate, payable out of the general funds of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide clerical assistants for the office of the judge of probate of Conecuh County, and to provide a clerk hire allowance for the judge of probate, payable out of the general funds of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of Conecuh County may employ two full time clerks in the probate office. Such clerks shall serve at the pleasure of the judge of probate and perform the duties prescribed by him.

Section 2. The governing body of Conecuh is authorized to provide a clerk hire allowance to the county judge of probate as follows: \$225.00 per month for a chief clerk and \$175.00 per month for an assistance clerk. The salaries of such clerks shall be payable out of the general funds of the county.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being



by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

R G. BOZEMAN, JR.

Sworn to and subscribed before me July 22, 1971.

HAROLD ADAMS,  
Notary Public.

My commission expires April 7, 1973.

Also:

By Messrs. Warren and Mims:

H. 1841. To provide further for the compensation of the county or deputy solicitor of Conecuh County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide further for the compensation of the county or deputy solicitor of Conecuh County.

Be It Enacted by the Legislature of Alabama:

Section 1. The county or deputy solicitor of Conecuh County shall receive as compensation for his services thirty-six hundred dollars per annum, to be paid to him in monthly installments out of any funds which are set apart for the payment of the county solicitor's compensation. Provided that in the event such funds are insufficient to pay the compensation provided for by this Act, the solicitor shall receive only such funds as are available for his compensation.

Section 2. All laws or parts of laws, both general and local, in conflict herewith are repealed.

Section 3. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the EVERGREEN COURANT, a newspaper

of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me July 22, 1971.

HAROLD ADAMS,  
Notary Public.

My commission expires April 7, 1973.

Also:

By Messrs. Warren and Mims:

H. 1842. To provide an additional clerical allowance to the circuit clerk of Conecuh County, such allowance to be payable out of the general funds of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide an additional clerical allowance to the circuit clerk of Conecuh County, such allowance to be payable out of the general funds of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Conecuh County is authorized to provide an allowance of \$120.00 per month for clerical assistance to the circuit clerk of the county. Such amount shall be paid out of the general funds of the county, and shall be in addition to the salaries and allowances heretofore provided for clerk-hire by any other general or local law.

Section 2. All laws or parts of laws, both general and local, which conflict with this Act are repealed.

Section 3. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the EVERGREEN COURANT, a newspaper

of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

R G. BOZEMAN, JR.

Sworn to and subscribed before me July 22, 1971.

HAROLD ADAMS,  
Notary Public.

My commission expires April 7, 1973.

Also:

By Messrs. Warren and Mims:

H. 1843. To provide an expense allowance for members and the chairman of the Conecuh County Commission or other like governing body of Conecuh County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide an expense allowance for members and the chairman of the Conecuh County Commission or other like governing body of Conecuh County.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member and the chairman of the Conecuh County Commission, or other like governing body, shall, in addition to all salaries and expenses prescribed for them by law, be entitled to an amount not to exceed \$200 per month as an allowance for expenses; provided, that the exact amount of such allowance shall be fixed or set only by resolution of the governing body unanimously approved by all members of the body and the chairman. When fixed as prescribed herein, the allowances shall be paid from any funds in the county treasury available for that purpose.

Section 2. Such expense allowance shall be in addition to all authorized reimbursements for actual expenses for travel and official business outside the county.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me July 22, 1971.

HAROLD ADAMS,  
Notary Public.

My commission expires April 7, 1973.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 1846. To amend Act No. 369, H. 781, Regular Session 1963 (Acts 1963, p. 868), providing expense allowances for members of the Lee County Commission so as to make further provisions respecting allowances for the members and chairman of such commission.

With notice and proof thereto attached and herewith exhibited as follows:

## PUBLIC NOTICE

STATE OF ALABAMA  
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Act No. 369, H. 781, Regular Session 1963 (Acts 1963, p. 868), providing expense allowances for members of the Lee County Commission so as to make further provisions respecting allowances for the members and chairman of such commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 369, H. 781, Regular Session 1963 (Acts 1963, p. 868), an act providing for the payment of an expense allowance to members of the Lee County Commission is hereby amended so as to read as follows:

"Section 1. Each member of the Lee County Commission shall be entitled to an allowance for expenses payable from any funds in the county treasury not otherwise appropriated in the amount of \$250 a month. The expense allowance herein provided for shall be in addition

to all other compensation and allowances provided members of the county governing body by general, special or local laws."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. This act shall be retroactive to January 18, 1971.

### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Auburn Bulletin, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 13, May 20, May 27, and June 3, all in the year 1971.

NEIL O. DAVIS.

Sworn to and subscribed before me July 22, 1971.

ALICE M. WHITE,  
Notary Public.

Also:

By Mr. Grey (D):

H. 1849. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; to provide for salaries and source of payment therefor to members of the county commission of such counties.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1831, 1832, 1833, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1846 and 1849. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hobbie, Ellis, Stubbs, Lang, Jackson, Wood, Therrell, Burgess, Stewart, Naramore, Collins, Turner, Owens, Grey (D), Cottingham, Smith (P), Warren, Wynot, Turnham, Perloff, Carter, Doss, Callahan, Smith (K), Jones (F), Hardin, May, Kinsey, Cross, Headley, Easters, Parker (T), Reid (R), Goodwin, Chesnut, Reynolds, Flippo, Hill, Barkett, Connell, Crawford, Brassell, Reed (T), Mims, Wise, Wallace, Roberts, Lutz, Weeks, Adwell, Timmons, Tay-

lor, O'Daniel, King, McCluskey, Hearn, Hale, Waldrop, McBride, Bank and Culver:

H. 161. To establish a code of ethics for governmental affairs in the State of Alabama for elected state officials, members of the Legislature, members of boards and commissions, employees, and other persons; to establish the Alabama Board of Ethics for State Elected Officials and fix its powers and duties in connection with said code with respect to elected state officials; to establish a legislative code of ethics and provide for its enforcement; to establish the Alabama Commission on Governmental Ethics and fix its powers and duties in connection with said code with respect to state employees and members of boards and commissions; and to authorize and direct the State Personnel Department to provide investigative and administrative services for the said Commission and Board in connection with said code, to provide prescriptive periods with respect thereto; and to provide civil and criminal penalties in connection with certain violations hereof.

Also:

By Messrs. Hobbie, Casey, Burgess, Merrill, Wood, St. John, Lutz, Manley, Slate, Doss, Boutwell, Grainger, Culver, Cauthen, Williams, Flippo, Bank, Lyons, Turnham, Perloff, Callahan, Therrell, Stokes, Drake, Stewart, Straiton, Jones (F) and Turner:

H. 1892. To provide a code of ethics for members of the Legislature.

Also:

By Mr. Drake:

H. 37. To provide for the cost of and establish the procedure for obtaining an annual resident state hunting license.

Also:

By Mr. Drake:

H. 39. To amend Section 38 of Title 8 of the Code of Alabama of 1940 so as to provide an increase in amount for resident annual state fishing license and to provide for a resident annual county hook and line fishing license.

Also:

By Mr. Drake:

H. 42. To amend Act Number 546, Regular Session of the Legislature of Alabama 1965 (approved August 20, 1965), relating to resident state hunting license for persons sixty-five or older.

Also:

By Messrs. Casey, Hobbie, Lyons, Grainger, Merrill and Bank:

H. 1018. To set up an Alabama Health Care Plan; to provide health care insurance for those Alabama citizens not otherwise able to obtain such protection; to allow insurance companies, on a non-profit basis, to organize for the purpose of offering health insurance under the provisions of the plan; to establish, through the Superintendent of Insurance, premium rates and expense provisions; to provide relief from premium tax and recoupment of losses through premium tax exemptions to insurers; to provide for rules and regulations and penalties for those persons wilfully misrepresenting material facts in order to qualify under the provisions of the plan; to provide for the examina-

tion of companies and employment of special persons, at no expense to the State, to assist the Superintendent of Insurance in implementation of the plan.

Also:

By Messrs. Williams and Turner:

H. 1384. To provide that any gas system operated by any county, municipality or public gas district which comes under the supervision of the Alabama Public Service Commission for the sole purpose of enforcing the provisions of Act No. 204, H. 74, Special Session 1969 (Acts 1969, p. 272) shall pay an inspection fee to the Alabama Public Service Commission of 25¢ per meter per year for each gas meter in said system.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 161 and 1892. To the Committee on Judiciary.

H. B.'s 37, 39 and 42. To the Committee on Conservation.

H. B. 1018. To the Committee on Health.

H. B. 1384. To the Committee on Commerce, Transportation and Common Carriers.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 522. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 686. To amend Sections 2 and 4 of Act No. 631 (H-829) adopted in the 1967 Regular Session of the Alabama Legislature said Act being entitled:

"To provide that any city of the state having a population of 300,000 inhabitants or more according to the last or any subsequent federal census shall have authority, after notice as provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the

governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment to constitute a lien on said property; and to provide a method of collecting such assessments."

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hobbie, Culver, Downing, Bank, Robertson, Parker (T), Taylor, Harris, Jones (F), Jackson, Straiton, Headley, Ellis, Stubbs, Stewart, Perloff, Collins, Wood, Roberts, Stokes, Lang, Hearn, Waldrop, Timmons, Wallace, Jones (E), Bowers, Boles, Burgess, Falkenburg, Flippo, Hill, Doss, McBride, Weeks, Boutwell and Callahan:

H. 732. To establish the Alabama Peace Officers Standards and Training Commission; to prescribe its functions, duties and powers relating to the selection, recruitment and training of law enforcement officers and the work of law enforcement agencies in the State; to prescribe minimum standards for law enforcement officers; to grant to the Commission power to establish standards and issue and promulgate rules and regulations; to make the violation of certain provisions of this Act or the Standards, rules and regulations of the Commission a misdemeanor; to establish the Alabama Peace Officers Standards and Training Commission Fund to make biennial appropriations from such Fund to the Commission for the fiscal years 1971-72 and 1972-73; to authorize participation in the program of the Commission by State, county and municipal law enforcement agencies.

Also:

By Messrs. Hobbie, Taylor, Jones (F), Adwell, Harris, Erdreich, Kinsey, Collins, Culver, Warren, Straiton, Easters and Barkett:

H. 367. To amend Act No. 999 approved September 12, 1969 (Acts of Alabama 1969, Pages 1855-1866); to establish the Alabama Peace Officers Annuity and Benefits Fund; to redefine certain words and terms; to clarify the organization, operation and powers of the Board, the eligibility of members, and court cost to be imposed; to more clearly state retirement, disability, and death benefits; to provide for an actuarial study, refunds, credit for military service and to repeal all laws in conflict herewith.

Also:

By Messrs. Straiton, Stokes, Therrell, Jones (F), Culver, Adwell, Bank, Drake and King:

H. 272. To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board,



to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 732 and 367. To the Committee on Judiciary.

H. B. 272. To the Committee on Commerce, Transportation and Common Carriers.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 441. Relating to Barbour County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Also:

S. 575. To apply to DeKalb County; providing an expense allowance for judge of the county court in DeKalb County.

Also:

S. 578. Relating to DeKalb County; to provide for the payment of per diem allowance to members of boards of registrars in DeKalb County.

Also:

S. 577. Relating to DeKalb County; providing additional per diem pay from county funds for members of the county board of equalization.

Also:

S. 293. To amend Act No. 765 of the Regular Session of the Legislature of Alabama of 1969, approved September 12, 1969 (Ala. Acts, 1969, p. 1358 et seq.), which Act provided in every County having a population of 500,000 or more, according to the last or any subsequent Federal Census, for the creation of a public bureau for the purpose of attracting conventions and visitors to the County.

Also:

S. 432. To provide for the appointment of a humane officer in all counties in this state which may now have or which may hereafter have a population of 150,000 people and less than 180,000 people and in which there is an incorporated city having a population of 70,000

people and less than 135,000 people according to the last Federal Census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties; and placing such officer under the operation of a city county merit system in such counties having such a system.

Also:

S. 434. Relating to incorporated cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census; providing for city planning and zoning; creating a planning commission for each such city, and prescribing the powers and duties of such a commission.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mims, Agee, Benton, Wise, May, Kinsey, Barkett and Connell:

H. 815. To amend the provisions of Title 22, Sections 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, and 231, Code of Alabama, 1940, as amended, to change the name of the state agency created by the Legislature; to stabilize and regulate the milk industry in Alabama; to change the composition of the Alabama Dairy Commission to be a commission made up of five voting members, four of whom to be persons with no direct or indirect interest in the milk business and the Commissioner of Agriculture and Industries; to invest the Dairy Commission with power to employ services of economists, accountants, and other experts to assist the Commission in carrying out its functions; to invest the Commission with the power to require distributors, producer-distributors, dealers, processors, or handlers to post sufficient bond to protect producers and producer payrolls from insolvency of distributors, producer-distributors, dealers, processors, or handlers, or default by said distributors, producer-distributors, dealers, processors, or handlers in making payment for milk received; to require distributors, producer-distributors, dealers, processors, and handlers to make a full and complete accounting to producers, of all milk received, from all sources, including a complete fat and skim accounting; to require the commission to conduct cost studies and prepare findings of fact before fixing the prices for hauling, transporting, bottling, packaging, distributing, processing, and marketing milk; to invest the Commission with the power to fix by economic formula prices to be paid producers and producer associations for milk sold in the State of Alabama.

Also:

By Messrs. St. John, Lyons, Drake, Culver, Merrill, McDonald, Hearn, Lutz, Doss, Baker, Chesnut, Cross, Carter, Cauthen, Timmons, Flippo, Casey, Nettles, Stokes, Owens, Wood, Collins, Turner, Brasell, Parker (T), Bank, McCorquodale and Manley:

H. 990. To amend Section 618 of Title 51 of the Code of Alabama of 1940, as amended by Act No. 769 adopted at the 1953 Regular Session

of the Legislature, approved September 17, 1953, so as to increase the license tax imposed on instruments conveying real or personal property, and to provide for the disposition of the proceeds resulting from said increase.

Also:

By Messrs. St. John, Bank, Lyons, Drake, Merrill, Culver, McDonald, Hearn, Doss, Lutz, Baker, Cross, Chesnut, Carter, Cauthen, Timmons, Flippo, Casey, Nettles, Stokes, Owens, Wood, Collins, Turner, Brassell, Bowers, Robertson, Parker (T), McCorquodale, Manley and Hale:

H. 996. To authorize Alabama Public School and College Authority to sell and issue \$7,500,000 aggregate principal amount of additional bonds to provide for the acquisition, construction, reconstruction, improvement, alteration and equipment of buildings and other facilities at the University of Alabama located in Tuscaloosa for public legal educational and allied purposes, including law research and revision, communications science, public service, continuing legal education, and clinical law training; to provide for the details of the said bonds and for the public sale thereof; to make an appropriation and pledge for payment of the principal of and interest on the bonds of proceeds from specified excise taxes to the extent necessary to pay the said principal and interest at their respective maturities; to authorize the Authority to pledge for payment of the principal of and interest on the bonds the moneys so appropriated and pledged; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, and for the investment of fiduciary funds; to authorize the issuance by the Authority of refunding bonds for the purpose of refunding the principal of any then outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, and the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale of the said \$7,500,000 principal amount thereof shall be disbursed on orders or warrants issued by or under the direction of the Authority for purposes for which they are authorized to be issued; and to provide that if any portion of this Act should be held invalid such holding shall not affect the validity of any other portion hereof.

Also:

By Mr. Snell:

H. 1075. To provide further for the compensation of the sheriff of each county of the State; providing for the disposition of all fees, commissions, and charges previously collectible for the use of the sheriff, and directing the county commissioners to furnish the sheriff with the necessary supplies and employees to operate his office.

Also:

By Messrs. St. John, Crowe, Nettles, Hale, Boutwell, Doss, Erdreich, Stewart, Falkenburg, Carnes, Lutz, Taylor, Hill, Cauthen, Turner, Cottingham, Baker and King:

H. 411. To authorize and empower the Supreme Court to adopt general rules governing pleading, practice and procedure in civil actions in all Courts in Alabama; and to provide for one form of civil action and procedure for the trial of cases both at law and in equity.

Also:

By Messrs. Weeks, Lyons and Bowers:

H. 630. To name and designate the Alabama River bridge on Interstate Highway 65 at Montgomery the "American Legion Memorial Bridge."

Also:

By Messrs. Bowers, Gafford, Stubbs, Fite, Wynot, Burgess, Smith (P), Drake, Hale, Culver, Gloor, Timmons, Falkenburg, Parker (H), Carnes, Jones (E), Doss, Dill, Wise, Lyons, Adwell, Therrell, Callahan, Bank, Headley and Waggoner:

H. 628. Relating to elections; to amend further Code of Alabama Title 17, Section 145, to define the term "political party".

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 815. To the Committee on Agriculture.

H. B.'s 990, 996 and 1075. To the Committee on Finance and Taxation.

H. B.'s 411 and 628. To the Committee on Judiciary.

H. B. 630. To the Committee on Commerce, Transportation and Common Carriers.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Hobbie, Straiton, Jones (F), Taylor and Harris:

H. J. R. 125. Mourning the death of Robert W. Brasington.

Also:

By Messrs. King, Grainger, Lutz and Hale:

H. J. R. 126. Commending Madison County Commission on winning certain National Awards.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolutions, H. J. R.'s 125 and 126, set out in the foregoing Message from the House were read and ordered to lay over on the Secretary's desk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Erdreich, Bank, Doss, Falkenburg, Timmons, Dill, Wallace, Bowers, Parker (H), Adwell, Jones (E), Meeks, Gloor, Boutwell, Waggoner, Cherner and Roberts:

H. J. R. 132. WHEREAS, the late Mr. R. L. Zeigler made major contributions to the State of Alabama through the organization and development of one of Alabama's largest and most successful meat packing industries and during a long and successful career gave of his time and resources to many humanitarian causes including the University of Alabama Medical Center; and

WHEREAS, Mrs. R. L. Zeigler worked closely with him and materially contributed to both his success in business and to the many humanitarian causes which he supported and has entered into an agreement to donate to the University of Alabama Medical Center the sum of \$500,000.00 to be used to match Federal and State funds expended in the construction of a Medical Research Building at a total cost of \$4,710,000.00; and

WHEREAS, this Legislature deems it fitting that this facility should bear the name of this philanthropic couple; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature hereby designates the medical research building constructed in the University of Alabama Medical Center immediately south of the Lyons-Harrison Research Building as the "Rebel and Sophie Zeigler Medical Research Building" in honor of Mrs. R. L. Zeigler and as memorial to the late Mr. R. L. Zeigler.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 132, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Smith (P):

H. J. R. 129. NAMING THE NEW AGRICULTURE AND INDUSTRIES BUILDING THE "RICHARD BEARD BUILDING"

WHEREAS the Honorable Richard Beard, who is currently serving his second term as Commissioner of the State Department of Agriculture and Industries, has long been recognized for his outstanding service to farmers and cattlemen of this state; and

WHEREAS Mr. Beard, who is a graduate of Washington and Lee University, has for nearly forty years owned and operated Glendale Farms in Jefferson County, near Trussville, where, with his family,

he engaged in large scale diversified farming, in the production of purebred Angus cattle, and in the operation of the Glendale Farms Mill and Supply Store; and

WHEREAS Mr. Beard has actively promoted the development of progressive methods for farming, the production of improved breeds of cattle, soil and water conservation, better land use, and the means of financing farm operations; and through his leadership in numerous associations he has rendered most effective services; and

WHEREAS Mr. Beard has for ten years been a director and officer of the Alabama Cattlemen's Association of which organization he was president during the years 1965 and 1966; he is a member of the Birmingham Area Chamber of Commerce Agricultural Committee; is past president of the Birmingham Agricultural Club; is immediate past president of the Southern Association of State Commissioners of Agriculture; is past president of the Advisory Council of the Farmers' Home Administration; is past president of the Alabama Soil Conservation District Supervisors; is on the board of directors of the Anniston Production Credit Association; is a former member of the Trussville City Council; is past president of the Trussville Civitan Club and is an elder of the Trussville Presbyterian Church; in 1968 he was named Man of the Year by the Progressive Farmer Magazine for his service to Alabama agriculture and in 1969 he was honored by the Alabama Farm Bureau for his outstanding service to agriculture; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new building for the Department of Agriculture and Industries be designated, named and known as the Richard Beard Building as a fitting tribute to a gentleman who has rendered such exceptional and outstanding service to the State of Alabama.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 129, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 39. Changing the name of Albert P. Brewer State Junior College to Brewer State Junior College.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Wise and Jackson:

**H. J. R. 130. RESOLUTION TO RECOGNIZE THE MUSKOGEE (CREEK) INDIAN NATION AND THE CHIEF THEREOF**

WHEREAS, the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi River has contributed so greatly to the heritage and traditions of the State of Alabama, and;

WHEREAS, the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi River continues to preserve and foster the authentic traditions and folklore of the Muskogee (Creek) Indian people, and;

WHEREAS, the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi River holds a corporate charter under the laws of the State of Alabama registered in the office of the Judge of Probate of Covington County in Andalusia, Alabama, and;

WHEREAS, the annual Pow-Wow of the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi River is to be held in Florala, Covington County, Alabama, an area steeped in the long traditions and folklore of the Muskogee (Creek) Indian people, with some five hundred Muskogee (Creek) Indians from seven states in attendance, and;

WHEREAS, the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi has been and will continue to be a center of attraction for the tourist industry as an authentic Indian Tribe enabling visitors to Alabama to obtain a better understanding of the traditions of the American Indian, the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi River, the State of Alabama and Covington County and Florala, Alabama, and;

WHEREAS, the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi River will prove an added attraction at the new State Park on Lake Jackson in Covington County, Alabama, and;

WHEREAS, Arthur R. Turner, great-great grandson of Chief William McIntosh, Jr. of Carroll County, Georgia, is serving as Principal Chief of the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi River under the Old Traditional Laws of the Muskogee (Creek) Tribes, with a General Council of eighteen members,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both Houses thereof concurring, that the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi River, now Mississippi, Alabama, Georgia, and Florida is recognized as a Tribe of people.

BE IT FURTHER RESOLVED, that recognizing that Covington County is an area with long and honored ties with the Muskogee (Creek) Indian Tribes, Florala, Alabama is hereby proclaimed as Capitol of the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi River; and

BE IT FURTHER RESOLVED, that the present Principal Chief, Arthur R. Turner, and the present General Council are recognized as the leaders of the Muskogee (Creek) Indian Nation or Tribes East of the Mississippi River; and

BE IT FURTHER RESOLVED, that the Principal Chief and the official Attorney of the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi River will be the official representatives of the Muskogee (Creek) Indian people and the Tribes, the official At-

torney to be chosen by the Principal Chief and the General Council; and

BE IT FURTHER RESOLVED, that copies of this Resolution be sent to the present Principal Chief of the Muskogee (Creek) Indian Nation or Tribe East of the Mississippi River, the Secretary of the Interior Washington, D. C., the Governor of Alabama, and the Attorney General of Alabama.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 130, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 61. Mourning the death of Bruce Henderson.

JOHN W. PEMBERTON,  
Clerk.

### REPORTS OF COMMITTEES

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fine:

S. 965. Relating to domestic stock insurance companies and to give the right to domestic stock insurance companies to merge, consolidate with domestic or foreign stock insurance companies or exchange stock with domestic or foreign corporations; to provide a procedure for such merger, consolidation or exchange of stock; to require approval of the board of directors and to require approval of the superintendent of insurance and approval of stockholders; to provide rights for dissenting stockholders; to provide for public hearings by the superintendent of insurance, and to set forth the effect of such merger, consolidation or exchange of stock.

By Mr. Lybrand:

S. 41. To provide that every person who participates in any endless chain shall be guilty of a misdemeanor; to provide for the punishment and fine for such misdemeanor; to define endless chain and participate as used in this Act; to limit the definition of compensation as used in this Act; to repeal all laws in conflict.

By Messrs. Dominick, Vacca, King, Bailes, Noonan, Pierce, Carr, Branyon, Wilder, Fine, Cook and Shelby:

S. 121. Relating to private passenger automobiles; defining "private passenger automobile;" creating a manufacturer's warranty as to standards of safety concerning the ability to sustain shock; providing,



in lieu of the warranty, certification by the manufacturer of compliance with the energy absorption standards prescribed; providing an effective date.

By Messrs. Gilmore, Cook, Bailes, King, Hawkins and Dominick:

S. 296. To create a Court of Claims in lieu of the state board of adjustment in order to provide a justiciable method of determining and paying awards for claims against the state; to provide for the composition of the court and prescribe its powers, jurisdiction, functions and procedure; to transfer all claims and actions pending before the board of adjustment to the court herein created; to appropriate funds for the purposes of this act; to repeal conflicting laws and to repeal specifically Act No. 546, H. 871, Regular Session 1935 (Acts 1935, p. 1164), which creates the board of adjustment, and all amendatory acts thereto.

By Messrs. Gilmore, Cook, Bailes, King, Hawkins, Dominick, Pierce and Jones:

S. 298. To prescribe penalties for acts of extortion committed by any officer or employee of the state or any department or agency thereof, or under color of office.

By Messrs. Gilmore, Cook, Bailes, King, Hawkins, Dominick, Pierce and Jones:

S. 299. To amend further Section 9 of Act No. 870, H. 200, Regular Session 1957 (Acts 1957, p. 452), as amended, entitled "An Act To provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties"; so as to delete therefrom certain provisions authorizing the negotiation and awarding of contracts when the price secured is at least 5% under the lowest acceptable bid.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Register (with substitute):

S. 352. To provide further for the fees paid justices of the peace for the trial of criminal cases.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. King and Fine:

S. 396. To amend Act No. 60, H. 218, Second Special Session 1965, which levies and provides for the collection of the "fair trial tax" upon criminal and quasi criminal cases: Amending the title, and Sections 1, 2, 3, 4 and 6, so as to make the tax applicable to suits at law and in equity, prescribe certain duties for registers of equity courts relative to the tax, to regulate further cases which are excepted from the operation of the act; to authorize and regulate payment to those

counties which maintain public defenders offices of a part of the expense thereof out of the process of the fair trial tax, and to provide that the unexpended balance in the fair trial tax fund shall not be paid into the state general fund but shall be retained in the fair trial tax fund and thereafter used for fees of appointed counsel and aid to the counties in maintaining public defender's offices.

By Messrs. King and Fine:

S. 397. To amend Act No. 526, S. 352 of the 1963 Regular Session (Acts of 1963, Volume 2, p. 1136), which provides for and regulates the appointment of counsel for indigent defendants at the expense of the state in certain cases, so as to provide for counsel in certain additional cases, to regulate further the fees and compensation of counsel appointed hereunder and to provide further for annual appropriations to carry out the purposes of the Act.

By Mr. Fine:

S. 448. To authorize and provide further for Supernumerary District Attorneys, etc:

By Messrs. Pelham and Edington:

S. 517. To amend Title 34, Section 31, Code of Alabama, 1940, so as to provide that the Court may divest interest of either spouse in the homestead; that remarriage of the wife may terminate rights to alimony; that action to recover alimony must be commenced within five (5) years, and to repeal all conflicting laws.

By Mr. Register:

S. 540. Relating to eminent domain proceedings; providing for courts to invest and reinvest monies deposited in eminent domain proceedings; and for crediting interest earned to the account of the condemning authority.

By Mr. Lybrand:

S. 618. Relating to motor vehicles: To provide means for the recovery of stolen vehicles by requiring the registration of ownership of and liens upon motor vehicles with the State department of public safety; to provide for and regulate the issuance of certificates of title and the notation thereon of liens; to require the maintenance of records relative to certificates of title and notations of liens thereon in the offices of the judges of probate or other motor vehicle licensing authorities in the several counties; to grant certain powers and authority to and impose certain duties on the state department of public safety; and to impose penalties for violations of this act.

By Mr. Pelham:

S. 717. To make it a felony to use a wire tap on other electronic device to overhear the telephone conversation of third parties.

By Mr. Harris:

S. 734. To propose an amendment to the Constitution of Alabama to abolish justices of the peace.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Harris:

S. 735. To abolish the jurisdiction of justices of the peace and notaries public ex officio justices of the peace elected or appointed for any precinct in Alabama in criminal and quasi-criminal cases.

By Mr. Harris:

S. 736. To repeal Code of Alabama 1940, Title 11, Sections 96 and 97, both of which relate to fees of justices of the peace.

By Mr. Wilder:

S. 796. To amend Section 2(d), (g), 17(a), and 27 of the Securities Act of Alabama (Acts 1959, V. 2, p. 1318, et seq., Act No. 542, Regular Session 1959 as amended by Acts 605 and 740, 1969 Regular Session) so as to further provide for the registration of securities dealers and salesmen, to provide for a change in the statute of limitations for violations of this act, and to further provide for the disposition of revenues collected by the Securities Commission.

By Mr. Wilder:

S. 797. Relating to Securities; providing for the assessment of fees by the Securities Commission upon application for exemptions under the Provisions of Act #542, Regular Session, 1959 (Acts 1959, Page 1318, as amended).

By Messrs. Edington, Pelham and Noonan:

S. 846. To amend the Title and Section 1 of Act No. 193, H. 444, Regular Session 1943 (Acts 1943, p. 183), which relates to Judicial Notice of Ordinance of Cities which may now or hereafter have a population of One Hundred Seventy Five thousand or more people according to the last or any succeeding federal census.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Register, Dozier and Clark (with amendment):

S. 849. Providing for the certification of factory-built housing; to provide for the regulation, administration and enforcement of the provisions of this Act by the Alabama Development Office; to establish certain civil remedies and actions in connection with factory-built housing and to provide penalties for violations of this Act or any rule or regulation promulgated hereunder.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 930. To prohibit the obtaining of leased or rented personalty by fraud.

By Mr. Harris:

S. 931. Relating to the conversion of leased or rented personalty; prohibiting any disposition of such property by the lessee or renter

which prevents a recovery thereof by the lessor at the expiration of the lease or under the terms of the rental agreement; repealing conflicting laws (Act No. 68, H. 73, approved June 3, 1953).

By Messrs. Cooper, Lindsey, Register, Clark, Dozier, Pelham, McLain, Shelby, Harris, Lybrand, O'Bannon, Fine, Malone, Foshee, Noonan, Owen, Littleton, Hammond, Edington, Weaver, Jones, Pierce and Branyon:

S. 940. To repeal Title 29, Section 102, Code of Alabama 1940, which Section allows sheriffs or other officers a FIFTY DOLLAR (\$50.00) fee for furnishing evidence to support a conviction in distilling cases.

By Mr. Casey:

H. 27. To amend Section 460, Title 51, Code of Alabama, 1940, as amended, relating to annual license fees for attorneys.

By Messrs. Warren, Mims and Nettles:

H. 32. To amend Sections 344, 345, 346, 347, 348, 349, 350 and 351 of Title 45, Code of Alabama 1940, relating to execution of death sentence; so as to provide further for place of execution.

By Messrs. Baker and Chesnut:

H. 53. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

By Mr. Lang, et al:

H. 59. To amend Section 16 of Act No. 181, H. 245, General Acts of Alabama 1939 (Acts 1939, p. 300), so as to increase the fee for duplicate driver's license, and to prescribe the penalty for the making of a false affidavit to obtain a duplicate license.

By Messrs. Gafford, Boles and Jones (E):

H. 76. To allow persons who receive articles for services, to dispose of such articles when they are not claimed for certain periods of time, without being liable to their owners.

By Mr. Lyons, et al:

H. 124. To prescribe the hours of work and holidays for all State merit system employees.

By Mr. McDonald, et al:

H. 129. To amend Section 26 of Act No. 987 of the General Acts of Alabama 1969, now codified as Title 13, Section 111 (25), Code of Alabama 1940, recompiled 1958, to fix the compensation of the clerk of the Court of Criminal Appeals, to fix the compensation of the assistant clerk of the Court of Criminal Appeals.

By Mr. Straiton:

H. 399. Relating to the licensing of Polygraph Examiners; creating a Polygraph Examiners Board; granting powers to the Polygraph Examiners Board; establishing minimum instrumentation requirements; providing for standards of qualifications of Polygraph Examiners; and providing for penalties for violation of provisions of this Act.

By Mr. Smith (P):

H. 183. To empower corporations to participate in partnerships and other associations, to repeal inconsistent legislation, to provide that this Act is expressive of existing law and to provide that the provisions of this Act shall be severable.

By Mr. Stokes, et al:

H. 501. To amend Act No. 168 (H. 270) Special Session of 1966, as amended, (Article 8A, Title 55, Code of Alabama as Recompiled and Amended) relating to the Alabama Historical Commission by increasing the Commission membership from fifteen to eighteen persons, by increasing the powers and duties of said Commission and by establishing a state depository for historic items.

By Mr. Falkenburg, et al:

H. 631. To amend Act No. 408, H. 111, Regular Session 1969 (Acts 1969, p. 796), which prohibits the sale, delivery or display of certain material to minors, and provides for the enforcement of the act; so as to exempt certain persons from the provisions of said act.

By Messrs. Casey and Jackson:

H. 766. Further amending Code of Alabama 1940, Title 22, Sections 24, 25, 26 and 27; relating to Vital Statistics; providing for registration of the fact of death by the funeral director and for making and filing of a certificate of cause of death by the attending physician, or coroner in certain cases.

By Messrs. Turnham, Brassell and Adams:

H. 1138. To provide office furniture, supplies, and equipment and a secretary for the District Attorney for the Thirty-seventh Judicial Circuit and to grant certain powers and duties to said secretary.

By Messrs. Turnham and Brassell:

H. 1148. To authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries in the 37th Judicial Circuit; and to provide for the taxing and collection of law library fees as item of court costs in cases docketed in certain courts within the county.

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Register and Pelham:

S. 484. To supplement the Workmen's Compensation Act of Alabama; to provide compensation for injured workmen and dependents of deceased workmen; and without limiting the comprehensiveness and generality of the foregoing, to supplement Chapter 5, Title 26, Code of Alabama 1940, as amended, known as the Workmen's Compensation Act of Alabama, by adding thereto the following to be designated as Article 2C of said chapter prescribing the liability of an employer to make compensation by way of damages for disablement or death of an employee caused by occupational disease, other than occupational pneumoconiosis and occupational exposure to radiation, which arises out of and in the course of his employment; declaring said occupational disease is to be regarded as an accident without regard to negligence

or fault, if any, of the employer, and providing for acceptance of the provisions hereof by election and for the enforcement of such liability, modifying common law, contractual and statutory remedies in such cases, regulating procedure for determination of such liability and the compensation payable and providing a period of limitation for filing suits on claims arising from occupational disease.

By Mr. McLain:

S. 496. To amend Code of Alabama 1940, Title 26, Section 158, relating to persons working in coal mines.

By Mr. McLain:

S. 497. To amend Code of Alabama 1940, Title 26, Section 337, to make provisions thereof applicable to all employees.

By Mr. Roberts, et al:

H. 702. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose and policy relative to air quality; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.

By Mr. Stubbs:

H. 1121. To amend subsection (d) of Section 262, subsection (i) of Section 262, Section 263, paragraph (1) subsection (C) of Section 279, Sections 285, 289, 292, 293 and paragraph (5) of Section 309, all being of Title 26, Code of Alabama 1940, as last amended, relating to extending coverage, increasing disability, death and medical benefits, and providing penalties for noncompliance, all pertaining to the Workmen's Compensation Law.

By Mr. Stubbs:

H. 1122. To supplement the Workmen's Compensation Act of Alabama; to provide compensation for injured workmen and dependents of deceased workmen; and without limiting the comprehensiveness and generality of the foregoing, to supplement Chapter 5, Title 26, Code of Alabama 1940, as amended, known as the Workmen's Compensation Act of Alabama, by adding thereto the following to be designated as Article 2C of said chapter prescribing the liability of an employer to make compensation by way of damages for disablement or death of an employee caused by occupational disease, other than occupational pneumoconiosis and occupational exposure to radiation, which arises out of and in the course of his employment; declaring said occupational disease is to be regarded as an accident without regard to negligence or fault, if any, of the employer, and providing for acceptance of the provisions hereof by election and for the enforcement of such liability, modifying common law, contractual and statutory remedies in such cases, regulating procedure for determination of such liability

and the compensation payable and providing a period of limitation for filing suits on claims arising from occupational disease.

Mr. McLain, Chairman of the Standing Committee on Municipal Government, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McLain:

S. 946. To amend further Code of Alabama, 1940, Title 37, Section 557, which relates to the payment of municipal assessments for public improvements, amending such section in relation to the rate of interest to be paid when such assessments are paid in installments and the rate of interest to be paid on delinquent installments.

Mr. Gilmore, Chairman of the Standing Committee on County Government, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Stokes:

H. 700. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of obligations of counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

By Mr. Stokes:

H. 701. To amend Sections 1 and 3 of Act No. 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of obligations of public corporations and public bodies.

By Mr. Malone:

S. 956. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing solid wastes collection and disposal facilities; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the revenues from the said facilities, or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such securities shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fine:

S. 742. To authorize the issuance of not exceeding \$150,000,000 principal amount of general obligation bonds of the State of Alabama

additionally secured by a pledge of a portion of the motor vehicle license taxes and registration fees, the gasoline excise tax of the state, the excise tax on distributors and storers of motor fuels, the excise tax on gasoline and motor fuels used by common carriers, and the inspection fee on certain petroleum products, the proceeds from which bonds shall be used solely for the cost of acquiring, constructing, or improving public roads, highways, and bridges in the state; to create a sinking fund for payment of said bonds; and to provide for the terms, specifications, execution, sale and issuance of said bonds and disposition of the proceeds thereof.

By Mr. Fine:

S. 743. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding \$150,000,000 principal amount of general obligation bonds of the State of Alabama additionally secured by pledge of certain taxes on motor vehicles and motor fuels, the proceeds of which bonds shall be used only for the cost of acquiring, constructing, or improving public roads, highways, and bridges in the state.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Grainger:

H. 446. To amend Act No. 281 adopted at the 1969 Regular Session of the Legislature of Alabama relating to the promotion of safe transportation of pupils and to and from schools and in school related activities; to directing the state board of education to prescribe certain rules and regulations designed to promote this purpose; to the provision of school transportation managers or supervisors; to prescribing certain equipment for school buses; to the provision for safety inspection of school buses; to the provision for special training and licensing of school bus drivers; and to the prescribing of penalties.

By Messrs. Boles, Parker (H) and Jones (E):

H. 793. To validate, in certain cases, the incorporation of public corporations attempted to be organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as amended, and invalid because of any irregularity in the procedure for incorporation.

Mr. Cook, Chairman of the Standing Committee on Public Buildings and Grounds, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cherner, Erdreich and Doss:

H. 359. To prescribe standards for existing and future public facilities for the general assembly of people such as auditoriums, theaters, assembly halls, coliseums, and stadiums but not limited to these facilities; and, to direct the State Building Commission to provide adequate periodic inspection services to insure compliance with such standards necessary to provide for the health, safety, and welfare of the people of Alabama.

By Mr. Gloor, et al:

H. 539. To amend Section 223 of Title 52 of the Code of Alabama of 1940 relating to the sale of warrants by boards of education so as to permit bidders for such warrants to submit with their bids a good



faith check in the form of not only a certified check but also a bank cashier's check or a bank treasurer's check drawn on a member of Federal Deposit Insurance Corporation, and so as to make further provisions respecting the manner in which a highest bidder for such warrants shall be determined.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McLain:

S. 970. To provide that the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

By Mr. McLain:

S. 971. Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy.

By Mr. McLain:

S. 972. Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to designate an official County Historian and appropriate a small honorarium for same.

By Mr. Littleton (with notice and proof):

S. 978. To provide further for a governing body for Autauga County to name and designate the chairman and first members of the Autauga County Commission and to provide for the election of their successors; to define the authority, powers and duties of the commission and to prescribe the qualifications, terms and compensation of its members.

By Mr. Foshee:

S. 981. To amend the title and Section 1 of Act No. 43, S. 125, Regular Session 1961 (Acts 1961, p. 64) which provides for the payment of expenses of the county or deputy solicitors of certain counties classified on a population basis.

By Mr. Foshee:

S. 982. To amend the title and Section 1 of Act No. 41, S. 123, Regular Session 1961 (Acts 1961, p. 62) which imposes additional duties upon and increases the compensation of the county solicitor of certain counties classified on a population basis.

By Mr. Foshee:

S. 983. To amend the title and Section 1 of Act No. 45, S. 127, Regular Session 1961 (Acts 1961, p. 65) which requires the tax collector and tax assessor to act in an advisory capacity to the county board of equalization and to investigate complaints as to assessments and make reports thereon to said board and provides for additional compensation for such officers from the general fund, in certain counties classified on a population basis.

By Mr. Foshee:

S. 984. To amend the title and Section 1 of Act No. 48, S. 130, Regular Session 1961 (Acts 1961, p. 67) which provides further for enforcement of highway traffic control laws and rules of the road by deputy sheriffs in certain counties classified on a population basis.

By Mr. Foshee:

S. 985. To amend the title and Section 1 of Act No. 122, H. 91, Special Session 1965 (Acts 1965, p. 175) as amended by Act No. 46, S. 116, Regular Session 1969 (Acts 1969-70, p. 335), which provides expense allowances for the chairman or presiding judge and members of the governing body of certain counties classified on a population basis.

By Mr. Foshee:

S. 986. To repeal Act No. 64, H. 138, approved June 26, 1963, Regular Session 1963 (Acts 1963, p. 441), entitled, "An Act to provide for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 or any subsequent federal decennial census."

By Mr. Foshee:

S. 987. To amend the title and Section 1 of Act No. 121, H. 90, Special Session 1965 (Acts 1965, p. 174) which relates to closing the office of officials in the county courthouse in certain counties classified on a population basis.

By Mr. Foshee:

S. 988. To repeal Act No. 86, S. 188, approved July 15, 1967, Regular Session 1967 (Acts 1967, p. 418), entitled, "An Act relating to all counties having populations of not less than 14,875 nor more than 15,200 according to the most recent federal decennial census; imposing further duties on the county solicitor; providing him an additional expense allowance and the manner of its payment."

By Mr. Foshee:

S. 989. To amend the title and Section 1 of Act No. 88, S. 224, Regular Session 1967 (Acts 1967, p. 420) which provides clerk hire allowances for certain county officers in certain counties classified on a population basis.

By Mr. Foshee:

S. 990. To amend the title and Section 1 of Act No. 146, S. 138, Special Session 1961 (Acts 1961, p. 2089) which provides clerical assistants and duties and compensation therefor for sheriffs in certain counties classified on a population basis.

By Mr. Foshee:

S. 991. To amend the title and Section 1 of Act No. 506, H. 1106, Regular Session 1965 (Acts 1965, p. 745) which provides expense allowances for certain deputy sheriffs in certain counties classified on a population basis.

By Mr. Foshee:

S. 992. To repeal Act No. 505, H. 1105, approved August 20, 1965, Regular Session 1965 (Acts 1965, P. 745), entitled, "An Act relating to counties having populations of not less than 14,000 nor more than 15,000; providing an expense allowance for the superintendent of education of any such county.

By Mr. Foshee:

S. 993. To repeal Act No. 42, S. 124, approved June 12, 1961, Regular Session 1961 (Acts 1961, p. 63), entitled, "An Act to provide for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 preliminary county totals for Alabama, 1960 census of population, or any subsequent federal decennial census."

By Mr. Clark:

S. 995. Relating to the Third Judicial Circuit; to provide for an additional expense allowance for the circuit court reporter of the Third Judicial Circuit.

By Mr. Fine:

S. 1001. Relating to the office of the Circuit Judge in every Judicial Circuit composed of one County, having but one Circuit Judge with a population of not less than 27,000 nor more than 27,900, authorizing an expense allowance for the Circuit Judge.

By Mr. Lindsey:

S. 1003. To amend the title and Section 1 of Act No. 1025, S. 890, Regular Session 1969 (Acts 1969, p. 1903), which Act provides further for the compensation, fees, power and duties of the judge and clerk of the Inferior Court of certain counties classified on a population basis.

By Mr. Lindsey:

S. 1004. To amend the title and Section 1 of Act No. 317, H. 716, Regular Session 1963, (Acts 1963, p. 796), as amended, which Act provides for the payment of additional expense allowances of members of the county governing body in certain counties classified on a population basis.

By Mr. Lindsey:

S. 1005. To amend the title and Section 1 of Act No. 1023, S. 878, Regular Session 1969 (Acts 1969, p. 1902), which Act provides further for the compensation of deputy sheriffs in certain counties classified on a population basis.

By Mr. Lindsey:

S. 1006. To amend the title and Section 1 of Act No. 1022, S. 877, Regular Session 1969 (Acts 1969, p. 1902), which Act provides further for the issuance of pistol permits in certain counties classified on a population basis.

By Mr. Lindsey:

S. 1007. To amend the title and Section 1 of Act No. 168, H. 55, Regular Session 1961 (Acts 1961, p. 212), which Act provides further for the compensation of fire wardens in certain counties classified on a population basis.

By Mr. Lindsey:

S. 1008. To amend Section 1 of Act No. 140, S. 119, Special Session 1961 (Acts 1961, p. 2082), which Act provided for the closing of the offices in the courthouse on certain days in certain counties classified on a population basis.

By Mr. Smith (P):

H. 826. To repeal Act No. 115, H. 141, Special Session 1967, approved May 5, 1967, entitled "An Act To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area; applying only to counties having a population of 65,000 to 95,000."

By Mr. Smith (P):

H. 827. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to provide by local law the manner in which applications for registration to vote in Talladega County shall be made.

The above Bill was read a second time at length as required by the constitution.

By Mr. Fite:

H. 842. Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,600 nor more than 16,950, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

By Messrs. Cottingham and Turner:

H. 845. To apply only in counties having populations of not less than 54,500 nor more than 56,000; enabling the County Governing Body to pay dues and expenses to meetings for elected and appointed county officials.

By Messrs. Crowe and Naramore:

H. 871. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

By Mr. Grey (D):

H. 980. To amend Section 1 of Act No. 47, H. 46, Second Special Session 1956 (Acts 1956, p. 339), (codified at Section 125 (91), Title 13, Code of Alabama 1940, Recompiled 1958) which provides a law enforcement fund for the use of the circuit judge and circuit solicitor of the twenty-fourth judicial circuit.

By Mr. Owens (with notice and proof):

H. 885. To provide for the institution and prosecution of misdemeanor cases for the County Court; to authorize and empower the Clerk of the Circuit Court of Bibb County, Alabama, Ex-Officio clerk of the County Court of Bibb County, Alabama to take oath in support of complaints or affidavits and to issue warrants of arrest thereon in such cases returnable to the County Court of Bibb County; to au-

thorize and empower the said Clerk to receive a plea of guilty by the Defendant in such cases and set, assess or fix the fine on said plea within the limits allowed by law and to provide for the formal minute entry and/or judgment entry to be made by the Judge of the County Court on a subsequent date without the presence of the Defendant.

By Mr. Lang:

H. 989. To fix the compensation of bailiffs of courts in all counties having populations of not less than 18,500 nor more than 20,500.

By Mr. Crowe:

H. 920. To amend the title and Section 1 of Act No. 686, H. 1094, approved September 20, 1957 (Acts 1957, p. 1037), as last amended, which further defines the police jurisdiction of certain incorporated municipalities situated in certain counties classified on a population basis.

By Mr. Crowe:

H. 921. To amend further Section 11 of Title 19, Code of Alabama (1940), as last amended, which relates to the appointment of commissioners in condemnation proceedings and requires probate judges to appoint members of the county board of equalization as commissioners in any proceeding in which the county is a party in certain counties classified on a population basis.

By Mr. Crowe:

H. 922. To amend the title and Section 1 of Act No. 127, H. 123, Special Session 1969 (Acts 1969, p. 195), which provides expense allowances to certain municipal officers who are directors of public utility boards in certain counties classified on a population basis.

By Mr. Crowe:

H. 923. To amend the title and Section 1 of Act No. 49, H. 79, Special Session 1970 (Acts 1970, p. 2673), which provides for eligibility to hold public office in certain counties classified on a population basis.

By Mr. Crowe:

H. 925. To amend the title and Section 1 of Act No. 883, H. 1232, Regular Session 1969 (Acts 1969, p. 1589), which provides clerk hire allowances for the judges of probate and sheriffs of certain counties classified on a population basis.

By Mr. Crowe:

H. 926. To amend the title and Section 1 of Act No. 857, H. 1179, Regular Session 1969 (Acts 1969, p. 1563), which fixes the compensation of jury commissions in certain counties classified on a population basis.

By Mr. Crowe:

H. 927. To amend Section 1 of Act No. 342, H. 809, Regular Session 1969 (Acts 1969, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis; providing for the taking, catching or killing of raccoons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorized by a rule of the director of conservation; and providing penalties.

By Mr. Crowe:

H. 928. To amend the title and Section 1 of Act No. 144, H. 154, Special Session 1969 (Acts 1969, p. 208), which provides an expense allowance for judges of inferior courts in certain counties classified on a population basis.

By Mr. Crowe:

H. 929. To amend the title and Section 1 of Act No. 624, H. 807, Regular Session 1967 (Acts 1967, p. 1429), which authorizes the county governing body of certain counties classified on a population basis, to provide automobiles or automotive equipment for the use of the sheriff and his deputies in performing their duties.

By Mr. Crowe:

H. 930. To amend the title and Section 1 of Act No. 600, H. 657, Regular Session 1967 (Acts 1967, p. 1385), which provides for the assessment of ad valorem taxes on real and personal property, the claiming of statutory exemptions thereon, and penalties for failure to comply, relating to certain counties classified on a population basis.

By Mr. Crowe:

H. 931. To amend the title and Section 1 of Act No. 562, H. 656, Regular Session 1967 (Acts 1967, p. 1316), which provides an additional and alternative method of assessing, paying taxes on, and issuing license tags for motor vehicles in certain counties classified on a population basis.

By Mr. Crowe:

H. 932. To amend the title and Section 1 of Act No. 40, H. 102, Regular Session 1967 (Acts 1967, p. 368), which sets the salary of the clerks of certain inferior courts in certain counties classified on a population basis.

By Mr. Crowe:

H. 933. To amend the title and Section 1 of Act No. 39, H. 101, Regular Session 1967 (Acts 1967, p. 367), which provides an expense allowance to be paid out of the general fund for the judges of certain inferior courts in certain counties classified on a population basis.

By Mr. Crowe:

H. 934. To amend further the title and Section 1 of Act No. 486, H. 944, Regular Session 1957 (Acts 1957, p. 670) as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

By Mr. Crowe:

H. 936. To amend the title and Section 1 of Act No. 227, H. 234, Special Session 1967 (Acts 1967, p. 310), which provides further for the compensation and allowances of the deputies of the sheriff in certain counties classified on a population basis.

By Mr. Crowe:

H. 937. To amend the title and Section 1 of Act No. 199, H. 228, Special Session 1967 (Acts 1967, p. 245), which fixes the compensation of the secretary of the district attorney in certain counties classified on a population basis.

By Mr. Crowe:

H. 938. To amend the title and Section 1 of Act No. 44, H. 179, Second Special Session 1965 (Acts 1965, p. 64), which provides additional allowances for the tax collectors of certain counties classified on a population basis.

By Mr. Crowe:

H. 939. To amend the title and Section 1 of Act No. 928, H. 1339, Regular Session 1969 (Acts 1969, p. 1667), which provides compensation for the clerk of the intermediate court and for the secretary of the district attorney in certain counties classified on a population basis.

By Mr. Crowe:

H. 940. To further amend the title and Section 1 of Act No. 227, H. 234, Regular Session 1967 (Acts 1967, p. 310) as last amended, which provides further for the compensation and allowances of the deputies of the sheriffs of certain counties classified on a population basis.

By Mr. Crowe:

H. 941. To amend the title and Section 1 of Act No. 181, H. 344, Regular Session 1961 (Acts 1961, p. 222), which empowers county governing bodies to pay county employees their regular wage or salary while sick or unable to work but not to exceed ten days per annum in certain counties classified on a population basis.

By Mr. Crowe:

H. 942. To amend the title and Section 1 of Act No. 182, H. 345, Regular Session 1961 (Acts 1961, p. 223), which provides for payment, additional duties, office space, equipment, furniture, supplies, and services of coroners of certain counties classified on a population basis.

By Mr. Crowe:

H. 943. To amend further the title and Section 1 of Act No. 486, H. 944, approved September 10, 1957 (Acts 1957, p. 670), as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

By Mr. Crowe:

H. 944. To further amend the title and Section 1 of Act No. 463, H. 986, approved September 9, 1955 (Acts 1955, p. 1053), as last amended, which relates to the territorial limits of the police jurisdiction outside the corporate limits of cities in certain counties classified on a population basis.

By Mr. Crowe:

H. 945. To amend the title and Section 1 of Act No. 139, H. 337, Regular Session 1961 (Acts 1961, p. 177), which fixes the time of holding meetings of the county governing bodies of certain counties classified on a population basis.

By Mr. Crowe:

H. 946. To amend the title and Section 1 of Act No. 308, H. 566, Regular Session 1965 (Acts 1965, p. 424), which provides an expense allowance for the coroners of certain counties classified on a population basis.

By Mr. Crowe:

H. 947. To amend the title and Section 1 of Act No. 303, H. 537, Regular Session 1965 (Acts 1965, p. 420), which provides pay raises for deputy sheriffs and other assistants of the sheriffs of certain counties classified on a population basis.

By Mr. Crowe:

H. 948. To amend the title and Section 1 of Act No. 61, S. 128, Special Session 1964 (Acts 1964, p. 84), which fixes and regulates the payment of the fees of jurors in certain counties classified on a population basis.

By Mr. Crowe:

H. 950. To amend the title and Section 1 of Act No. 227, H. 333, Regular Session 1961 (Acts 1961, p. 260), which fixes the compensation of members of the jury commissions of certain counties classified on a population basis.

By Mr. Crowe:

H. 952. To further amend the title and Section 1 of Act No. 461, H. 984, approved September 9, 1955 (Acts 1955, p. 1051), as last amended, which relates to the exemption of purchases of medical, surgical, and hospital supplies from any system of competitive bidding in certain counties classified on a population basis.

By Mr. Crowe:

H. 954. To amend the title and Section 1 of Act No. 223, H. 325, Regular Session 1961 (Acts 1961, p. 257), which fixes the compensation of the deputies and other assistants to the sheriffs in certain counties classified on a population basis.

By Mr. Crowe:

H. 955. To amend Section 1 of Act No. 375, H. 854, Regular Session 1963 (Acts 1963, p. 876), which authorizes the governing bodies of certain counties classified on a population basis to prescribe the times when county offices may be closed.

By Mr. Crowe:

H. 956. To amend the title and Section 1 of Act No. 14, H. 64, Special Session 1962 (Acts 1962, p. 22), which fixes the time of holding meetings of the county governing bodies of certain counties classified on a population basis.

By Mr. Crowe:

H. 957. To amend Section 1 of Act No. 54, S. 15, Special Session 1964 (Acts 1964, p. 71), which relates to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

By Mr. Crowe:

H. 958. To amend the title and Section 1 of Act No. 302, H. 536, Regular Session 1965 (Acts 1965, p. 419), which provides for compensation of the secretary of the circuit solicitor in certain counties classified on a population basis.



By Mr. Crowe:

H. 959. To amend the title and Section 1 of Act No. 304, H. 539, Regular Session 1965 (Acts 1965, p. 420), which provides an expense allowance payable from county school funds for the county superintendent of education of certain counties classified on a population basis.

By Mr. Crowe:

H. 960. To amend the title and Section 1 of Act No. 134, H. 142, Special Session 1965 (Acts 1965, p. 185), which sets the salary of the stenographic secretary of the judge of the Intermediate Court of certain counties classified on a population basis.

By Mr. Crowe:

H. 961. To amend the title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts 1965, p. 183), which provides for the appointment and salary of a clerk by the register of the circuit court of certain counties classified on a population basis.

By Mr. Crowe:

H. 962. To amend further Section 463 of Title 51, Code of Alabama 1940, as last amended, which levies license taxes on persons engaged in selling automobiles; levying a special license on auction sales of motor vehicles in certain counties classified on a population basis.

By Mr. Crowe:

H. 963. To amend the title and Section 1 of Act No. 135, H. 143, Special Session 1965 (Acts 1965, p. 186), which regulates the compensation of the deputy or assistant circuit clerks of certain counties classified on a population basis.

By Mr. Crowe:

H. 964. To amend further the title and Section 1 of Act No. 486, H. 944, approved September 10, 1957 (Acts 1957, p. 670), as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

By Messrs Manley and Pruitt (with notice and proof):

H. 965. Relating to the City of Uniontown in Perry County: Authorizing the City of Uniontown as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporation and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidence of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

By Messrs. Pruitt and Manley (with notice and proof):

H. 967. To create and establish a Park and Recreation Board for the town of Livingston in Sumter County; to prescribe the composition, powers, and duties of said board, to provide for the necessary appropriations, and to provide for a director and staff for the board.

By Mr. Grey (D):

H. 979. Relating to the twenty-fourth judicial circuit; to provide a secretary for the district attorney; to provide for compensation thereof, and to provide for proportional payment by the counties constituting said circuit.

By Messrs. Jones (F) and Taylor (with notice and proof):

H. 983. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in the NE¼ of Section 29, Township 17 N, Range 18 E, Montgomery County, Alabama.

By Mr. Casey (with notice and proof):

H. 1008. To provide for the compensation of jurors in Cleburne County.

By Mr. Casey (with notice and proof):

H. 1009. To provide for the compensation of circuit court bailiffs in Cleburne County.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. O'Daniel (with notice and proof) (with substitute):

H. 1019. To apply only in Elmore County; regulating further the possession, sale, storage, transportation, use and consumption of alcoholic beverages in such county; requiring any distributor or seller of malt and brewed beverages and spirituous and vinous liquors, other than the State Alcoholic Beverage Control Board, to purchase a license before he can engage in such distribution and selling; levying, and authorizing the county governing body to provide for the collection of a county tax on the possession and sale of spirituous, vinous, and malt or brewed beverages; and providing for the distribution of the net proceeds thereof; prescribing penalties; and providing that this Act shall be retroactive and cumulative.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Lutz, Grainger, Hearn, Hale and King:

H. 1033. Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities.

By Messrs. Jones (F), Hobbie and Taylor:

H. 1036. To amend Act No. 401, page 568 of the Acts of Alabama 1957 Regular Session by deleting therefrom the words "and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank" as said

words appear in Section 1 of said Act No. 401 following the word "election" and preceding the word "and".

By Mr. Lang:

H. 1037. To amend the title and Section 1 of Act No. 430, H. 696, Regular Session 1963 (Acts 1963, p. 954), which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

By Mr. Lang:

H. 1038. To amend the title and Section 1 of Act No. 345, H. 981, Regular Session 1963 (Acts 1963, p. 838), which authorizes, provides for the licensing of and regulates the operation of, and hunting on privately owned hunting preserves stocked with artificially propagated upland birds in certain counties classified on a population basis.

By Mr. Coshatt:

H. 1040. To amend Act No. 257, Acts of Alabama 1959, to provide for the payment of expense allowance to members of the governing body, of all counties having a population of not less than 27,900 nor more than 33,500, according to the last Federal decennial census; and to validate actual expenses heretofore paid for travel outside the county on county business.

By Mr. Smith (P) (with notice and proof):

H. 1044. Applying to Talladega County, authorizing applications for registration to vote to be made before the judge of probate or his employees, providing that such applicants need not appear in person before the board of registrars or any members thereof, and granting full rule-making power to the board of registrars to carry out the purposes of this act.

By Mr. Smith (P) (with notice and proof):

H. 1046. Relating to Talladega County, to provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in such county.

By Messrs. Drake and St. John:

H. 1069. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the Intermediate Court in such counties.

By Mr. Fite:

H. 1080. Relating to counties having a population of not less than 22,575 nor more than 23,800, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the Chief Engineer of the Division of Public Roads payable from the general funds of the county.

By Messrs. Culver, Bank, Robertson and Parker (T) (with notice and proof):

H. 1091. Relating to Tuscaloosa County; to regulate the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students, apprentices, Journey-men and Hairstylist; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber

Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

By Mr. Mathews:

H. 1092. Relating to counties having populations of not less than 10,660 nor more than 10,900; to levy and provide for the collection of an annual license or privilege tax on wholesale distributors or jobbers of malt or brewed beverages within such counties; and to prescribe penalties.

By Mr. Mathews:

H. 1093. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to authorize the county commission or other like governing body, in such counties to make an annual appropriation out of the county public highway and traffic fund to the tax assessor, to the tax collector and to the probate judge for clerk hire allowances to be used for the compensating of clerks for duties relative to the assessment and collection of taxes on motor vehicles or the issuance of motor vehicle license tags.

By Messrs. Wynot, Carnes and Waldrop:

H. 1300. To repeal Act No. 700, H. 972, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1525) entitled, "An Act to provide additional and alternate methods of annexation of certain territory to municipalities in counties in the State of Alabama having a population of not less than ninety-six thousand (96,000) nor more than one hundred six thousand (106,000) inhabitants according to the last or any subsequent Federal Census."

By Messrs. Carnes, Waldrop and Wynot:

H. 1301. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; providing for payment of expense allowances of constables serving the county court in such counties.

By Messrs. Carnes, Waldrop and Wynot:

H. 1302. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and compensation of such deputy constable.

By Messrs. Wynot, Carnes and Waldrop:

H. 1303. To repeal Act No. 490, H. 1042, approved August 20, 1965, Regular Session 1965 (Acts 1965, p. 710) entitled, "An Act to amend further Section 1 of Act No. 158, H. 399, Regular Session 1961 (Acts 1961, p. 206), which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to regulate further the payment of an expense allowance to the coroner in any such county.

By Messrs. Wynot, Carnes and Waldrop:

H. 1304. To repeal Act No. 633, H. 1041, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1155) entitled, "An Act relating to counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; to provide an expense allowance for the judge of probate of any such county."

By Messrs. Wynot, Carnes and Waldrop:

H. 1305. To repeal Act No. 701, H. 900, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1303) entitled, "An Act to amend Section 7 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, V. 1, p. 429) in relation to the compensation of the chairman and members of the board of revenue, court of county commissioners, or other like governing body of any county having a population of not less than 96,000 nor more than 106,000."

By Messrs. Wynot, Carnes and Waldrop:

H. 1306. To repeal Act No. 713, H. 1215, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1318) entitled, "An Act relating to counties having populations of not less than 96,000 nor more than 106,000; providing for the payment of an expense allowance to the judge of the county court in any such county."

By Messrs. Wynot, Carnes and Waldrop:

H. 1307. To repeal Act No. 72, H. 209, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 95) entitled, "An Act relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; further regulating the compensation and allowances of certain county officers."

By Messrs. Carnes, Waldrop and Wynot:

H. 1308. To repeal Act No. 413, H. 421, approved, September 12, 1966, Special Session 1966 (Acts 1966, p. 559), as last amended, entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and salary of such deputy constable."

By Messrs. Carnes, Waldrop and Wynot:

H. 1309. To repeal Act No. 176, H. 255, approved August 23, 1966, Special Session 1966 (Acts 1966, p. 208), as last amended, entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; to regulate further the compensation and allowances payable from the county treasuries of all such counties to certain public officers and their deputies, to fix the amount of the total salaries of certain county officers and deputies of such counties; to fix the amount of the supplemental salary payable by these counties to certain public officers, who are paid in part from the State treasury; to provide temporary allowances to certain officers; to prescribe different times for the several provisions of this Act to become effective; and to prescribe when certain parts of this Act shall expire and be repealed."

By Messrs. Wynot, Carnes and Waldrop:

H. 1310. To repeal Act No. 104, H. 200, approved July 31, 1967, Regular Session 1967 (Acts 1967, p. 444) entitled, "An Act to apply only in counties having populations of not less than 96,000 nor more than 106,000, providing an additional expense allowance for the registers of circuit courts of such counties, payable from the general funds of the county."

By Messrs. Carnes, Waldrop and Wynot:

H. 1311. To repeal Act No. 80, S. 7, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 412), entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county."

By Messrs. Carnes, Waldrop and Wynot:

H. 1312. To amend the title and Section 1 of Act No. 561, H. 396, Regular Session 1961 (Acts 1961, p. 660), which provides further for the operation of the county board of equalization, regulates the term of service, compensation, and expense allowance of the members of said board; further provides for office space, office fixtures, and supplies for said board, and for employment of a secretary-appraiser by said board and other employees of said board in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

II. 1313. To amend the title and Section 1 of Act No. 161, H. 407, Regular Session 1961 (Acts 1961, p. 208), which authorizes the governing body to provide paper ballots and ballot boxes as well as voting machines at voting places where voting machines are used in certain elections, in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1314. To amend the title and Section 1 of Act No. 165, H. 411, Regular Session 1961 (Acts 1961, p. 210), which relates to the issue and returns of executions in justice of the peace courts and other courts of like jurisdiction in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1315. To amend the title and Section 1 of Act No. 195, H. 394, Regular Session 1961 (Acts 1961, p. 233), which provides an assistant coroner for certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1316. To amend the title and Section 1 of Act No. 186, H. 384, Regular Session 1961 (Acts 1961, p. 228), which provides for the furnishing of equipment, supplies, clerks, deputies, and other assistants for certain officials in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1317. To amend the title and Section 1 of Act No. 187, H. 385, Regular Session 1961 (Acts 1961, p. 229), which authorizes the purchase by the county governing body of uniforms for the use of uniformed employees of the sheriff in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1318. To amend the title and Section 1 of Act No. 189, H. 388, Regular Session 1961 (Acts 1961, p. 230), which provides for a chief clerk and assistant chief clerk in the circuit court and a chief clerk in the county court of certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1319. To amend the title and Section 2 of Act No. 202, H. 398, Regular Session 1961 (Acts 1961, p. 236), which relieves certain county officials of the duty of visiting voting places and precincts in the performance of their official duties in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1320. To amend the title and Section 1 of Act No. 46, H. 260, Regular Session 1965 (Acts 1965, p. 64), which prohibits the taxation and collection of certain fees and costs in misdemeanor cases for violations of the game and fish laws in the county courts of certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1321. To amend the title and Section 1 of Act No. 878, S. 594, Regular Session 1965 (Acts 1965, p. 1645), which provides further for the selection of textbooks and instructional materials in the public schools of certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1322. To amend the title and Sections 1 and 4 of Act No. 809, H. 1273, Regular Session 1965 (Acts 1965, p. 1511), which provides an administrative consultant to the circuit clerk and to prescribe qualifications, duties, compensation and terms thereof, in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1323. To amend the title and Section 1 of Act No. 397, H. 922, Regular Session 1965 (Acts 1965, p. 574), which confers upon solicitors the power to take oaths in support of complaints and to issue warrants in all criminal and breach of peace cases in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1324. To amend the title and Section 1 of Act No. 73, H. 65, Special Session 1966 (Acts 1966, p. 102), which regulates further the county court of certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1325. To amend the title and Section 1 of Act No. 39, S. 23, Special Session 1966 (Acts 1966, p. 62), which authorizes the Clerk of the County Court to appoint two of his assistants to be assistant Chief Clerks of the Criminal and Civil Divisions, respectively, of said court, in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1326. To amend the title and Section 1 of Act No. 464, H. 528, Regular Session 1967 (Acts 1967, p. 1155), which provides for the fixing, disposition, and use of fees collected for the issuance of pistol permits in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1327. To amend the title and Section 1 of Act No. 1184, H. 1357, Regular Session 1969 (Acts 1969, p. 2213), which provides an additional supplementary salary for the circuit court reporters of certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1328. To amend the title and Section 1 of Act No. 619, H. 782, Regular Session 1967 (Acts 1967, p. 1423), as last amended, which provides for the distribution of a portion of the State Gasoline Excise Tax among municipalities in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1329. To amend the title and Sections 1, 2, and 3 of Act No. 538, S. 589, Regular Session 1967 (Acts 1967, p. 1287), which provides additional and alternate methods of annexation of certain municipalities in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1330. Relating to counties having a population of not less than 90,000 nor more than 100,000; fixing the compensation of certain officers in such counties.

By Messrs. Carnes, Waldrop and Wynot:

H. 1331. To amend the title and Section 1 of Act No. 206, H. 401, Regular Session 1961 (Acts 1961, p. 238), which prohibits probate judges from charging any fee for administering an oath or taking or acknowledging an affidavit, in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1332. To amend the title and Section 1 of Act No. 200, H. 417, Regular Session 1961 (Acts 1961, p. 235), which regulates further the purchasing practices of certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1333. To amend the title and Section 1 of Act No. 208, H. 403, Regular Session 1961 (Acts 1961, p. 239), which provides for appointment, compensation, duties, and authority of deputy circuit solicitors in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1334. To amend the title and Section 1 of Act No. 589, H. 1039, Regular Session 1961 (Acts 1961, p. 697), which provides that witness certificates obtained as a state's witness before certain judicial bodies and proceedings shall be paid immediately upon presentation for payment, in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1335. To amend the title and Section 1 of Act No. 379, H. 793, Regular Session 1961 (Acts 1961, p. 393), which provides for, authorizes, and describes the type of hospital records which may be introduced as evidence in the courts of certain counties classified on a population basis; further provides procedures for proper introduction thereof and provides for the taxing of costs in connection therewith.

By Messrs. Carnes, Waldrop and Wynot:

H. 1336. Relating to meetings and compensation of members of boards of education in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.



By Messrs. Carnes, Waldrop and Wynot:

H. 1337. To amend the title and Section 1 of Act No. 138, H. 139, Special Session 1969 (Acts 1969, p. 204), which provides for the Constable of the County Courts to serve as bailiff and provides compensation therefor, certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1338. To amend the title and Sections 1 and 2 of Act No. 377, H. 791, Regular Session 1961 (Acts 1961, p. 392), which allows the county commission of certain counties classified on a population basis to fix and set aside by resolution certain days of the week for the closing of office in said county court house.

By Messrs. Carnes, Waldrop and Wynot:

H. 1339. To amend the title and Section 1 of Act No. 70, H. 103, Special Session 1962 (Acts 1962, p. 94), which provides for the distribution and use of revenue received from the property tax levied pursuant to Amendment CCII of the Alabama Constitution of 1901, in certain counties classified on a population basis.

By Messrs. Carnes, Wynot and Waldrop:

H. 1340. To amend the title and Section 1 of Act No. 24, H. 18, Special Session 1962 (Acts 1962, p. 34), which provides for feeding of prisoners in jail, retroactivity of this Act, and validates certain allowances which may have heretofore been made for the feeding of such prisoners, in certain counties classified on a population basis.

By Messrs. Carnes, Wynot and Waldrop:

H. 1341. To amend the title and Section 1 of Act No. 286, S. 286, Regular Session 1963 (Acts 1963, p. 731), which provides for certain teachers in the public schools who are over age seventy to be continued in service, in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1342. To amend the title and Section 1 of Act No. 178, H. 205, Special Session 1964 (Acts 1964, p. 245), which regulates further the compensation and allowance of the sheriff in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1343. To amend the title and Section 1 of Act No. 213, H. 31, Special Session 1964 (Acts 1964, p. 287), which restores or reconfers on certain justices of the peace and notaries public ex officio justices of the peace, certain jurisdiction withdrawn from them by local acts, in certain counties classified on a population basis.

By Mr. Casey:

H. 1344. To amend the title and Section 1 of Act No. 89, H. 212, Second Special Session 1965 (Acts 1965, p. 118), which provided expense allowances for circuit judges in certain counties classified on a population basis, payable out of the general funds of such counties.

By Mr. Casey:

H. 1345. To amend the title of Act No. 767, H. 708, Regular Session 1969 (Acts 1969, p. 1365), which further regulates the salary of members of the tax equalization board, board of registration, and jury commission in certain counties classified on a population basis.

By Mr. Casey:

H. 1346. To amend the title and Section 1 of Act No. 60, H. 395, Regular Session 1969 (Acts 1969, p. 353), which regulates the compensation of the county superintendent of education of certain counties classified on a population basis.

By Mr. Casey:

H. 1347. To amend the title and Section 1 of Act No. 376, H. 862, Regular Session 1963 (Acts 1963, p. 876), which authorizes and provides for a recount of the vote in certain ballot boxes on order of the circuit judge, in certain counties classified on a population basis.

By Mr. Casey:

H. 1348. To amend the title and Sections 1 and 2 of Act No. 29, H. 27, Regular Session 1965 (Acts 1965, p. 48), which authorizes the governing body of certain counties classified on a population basis to prescribe the times when county offices may be closed.

By Mr. Casey:

H. 1349. To repeal Act No. 466, H. 367, approved August 30, 1963, Regular Session 1963 (Acts 1963, p. 906), entitled, "An Act prescribing sheriffs' allowances for transporting juvenile delinquents to places of confinement."

By Mr. Casey:

H. 1350. To amend the title and Section 1 of Act No. 485, H. 946, Regular Session 1965 (Acts 1965, p. 698), which regulates further the compensation of clerical assistants of certain officers of certain counties classified on a population basis.

By Mr. Casey:

H. 1351. To amend the title and Sections 1 and 2 of Act No. 964, S. 322, Regular Session 1961 (Acts 1961, p. 1571), which regulates the compensation of members of the county board of education of certain counties classified on a population basis.

By Mr. Casey:

H. 1352. To repeal Act No. 128, H. 117, approved March 29, 1965, Special Session 1965 (Acts 1965, p. 181), entitled, "An Act To regulate the compensation of county superintendents of education in all counties having populations of not less than 10,800 nor more than 12,000, and repeal conflicting laws."

By Mr. Casey:

H. 1353. To amend the title and Section 1 of Act No. 365, S. 372, Regular Session 1965 (Acts 1965, p. 500), which allows the governing body of certain counties classified on a population basis to authorize the tax collector to send notices and receipts of taxes due and paid to tax payers and provide that expenses therefor shall be paid from the county general fund.

By Mr. Casey:

H. 1354. To amend the title and Section 1 of Act No. 385, H. 884, Regular Session 1963 (Acts 1963, p. 888), which prohibits payroll deduction of dues of school employees in professional organizations and prescribes punishments for violations, in certain counties classified on a population basis.

By Messrs. Carnes, Waldrop and Wynot:

H. 1376. Relating to the compensation of tax assessors and tax collectors in counties having population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

By Messrs. Carter and Cross:

H. 1395. To provide additional allowances out of the county treasury for clerk hire for temporary or part time clerks or other assistants for certain county officers in all counties having populations of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census.

By Messrs. Carter and Cross:

H. 1396. Relating to counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

By Messrs. Carter and Cross:

H. 1397. To authorize the governing bodies of counties having a population of not less than 39,500 nor more than 41,750 according to the 1970 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

By Messrs. Carter and Cross:

H. 1398. To apply only to counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census; providing for the appointment of reserve deputies sheriff; defining said reserve deputies sheriff, and providing for the qualification, authority, duties, compensation, bond and term of office of such reserve deputies sheriff, and providing for the use of county equipment, and liability of sheriff for acts of said reserve deputies sheriff.

By Mr. Stubbs (with notice and proof):

H. 1421. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

By Mr. Stubbs (with notice and proof):

H. 1422. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

By Mr. Coshatt (with notice and proof):

H. 1426. Regulating the compensation and allowances of members of the St. Clair County board of education.

By Mr. Coshatt:

H. 1427. To amend the title of Act No. 47, H. 57, p. 2671, Acts of Alabama 1970 Special Session, so as to change the population classification figures in said act.

By Mr. Coshatt:

H. 1428. To repeal Act No. 335, H. 843, approved August 10, 1965, entitled, "An Act to apply only in counties having populations of not less than 24,800 nor more than 25,400; regulating the compensation and allowances of members of the county board of education." (Acts of Alabama, 1965, p. 464).

By Messrs. Chesnut and Baker (with notice and proof):

H. 1481. To amend section XIII of Act No. 822, Acts of Alabama 1969, Regular Session, relating to Cherokee County gasoline tax so as to authorize the state department of revenue to collect such tax for Cherokee County; to require such tax collected to be deposited with the state treasurer; and to require the state treasurer to remit such tax to the governing body of Cherokee County less the costs of collection not to exceed five (5) percent.

By Messrs. Chesnut and Baker (with notice and proof):

H. 1482. To amend Act No. 505, Acts of Alabama 1963, Vol. 2, page 1087, which establishes and provides for the operation of the Cherokee County Court, amending sections 4 and 10 of such act, so as to provide for only one mandatory jury session each year, and to provide further for the compensation of the official Court Reporter.

By Messrs. Chesnut and Baker:

H. 1483. To repeal Act No. 677, S. 820, approved August 29, 1969, Regular Session 1969 (Acts of Alabama, Special and regular Sessions, 1969, p. 1212), entitled, "An Act Relating to counties having a population of not less than 16,150 and not more than 17,250 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds."

By Messrs. Chesnut and Baker:

H. 1484. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168) which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis and to provide an effective date to begin at the next term of office.

By Messrs. Chesnut and Baker:

H. 1485. To repeal Act No. 823, H. 899, approved September 8, 1961, Regular Session 1961 (Acts 1961, p. 1209), entitled, "An Act Relating to counties having a population of not less than 16,150 nor more than 17,250 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers."

By Messrs. Chesnut and Baker:

H. 1486. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87) which regulates the compensation of election officers in certain counties classified on a population basis.

By Messrs. Chesnut and Baker:

H. 1487. To amend the title and Section 1 of Act No. 118, H. 426, Regular Session 1965 (Acts 1965, p. 176), which provides transportation allowances for the chairmen and members of the county commission in certain counties classified on a population basis.

By Messrs. Chesnut and Baker:

H. 1488. To amend the title and Section 1 of Act No. 126, H. 115, Special Session 1965 (Acts 1965, p. 178), which authorizes the Chief Justice of the Supreme Court to assign a special Judge to the County Courts of record in certain counties classified on a population basis where the duly elected or appointed Judge thereof is disqualified to act or is unable to attend Court on account of sickness or a vacancy has existed in the office of the Judge of said Court for more than thirty days, and to provide additional compensation to be paid such special Judge from the general fund of the County.

By Messrs. Chesnut and Baker:

H. 1489. To amend the title and Section 1 of Act No. 346, H. 333, Special Session 1966 (Acts 1966, p. 489) which regulates the salary of the coroner in certain counties classified on a population basis.

By Messrs. Chesnut and Baker:

H. 1490. To amend the title and Section 1 of Act No. 198, H. 222, Special Session 1967 (Acts 1967, p. 244) which provides expense allowances for clerks of the circuit courts in certain counties classified on a population basis.

By Messrs. Chesnut and Baker:

H. 1491. To amend the title and Section 1 of Act No. 563, H. 705, Regular Session 1967 (Acts 1967, p. 1319) which authorizes the chairman or president of the county governing body to make expenditures from the county road, bridge and public building fund in certain counties classified on a population basis.

By Messrs. Chesnut and Baker:

H. 1492. To amend the title and Section 1 of Act No. 197, H. 214, Special Session 1967 (Acts 1967, p. 243) which provides clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides is classified on a population basis.

By Messrs. Chesnut and Baker:

H. 1493. To amend the title and Section 1 of Act No. 512, H. 860, Regular Session 1969 (Acts 1969, p. 982) which relieves the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties in certain counties classified on a population basis.

By Messrs. Chesnut and Baker:

H. 1494. To amend the title and Section 1 of Act No. 664, H. 909, Regular Session 1967 (Acts 1967, p. 1485) which provides expense allowances for tax collectors in certain counties classified on a population basis.

By Messrs. Chesnut and Baker:

H. 1495. To amend the title and Section 1 of Act No. 694, H. 956, Regular Session 1967 (Acts 1967, p. 1519) which provides expense allowances for the register in chancery in certain counties classified on a population basis.

By Messrs. Chesnut and Baker:

H. 1496. To amend the title and Section 1 of Act No. 665, H. 910, Regular Session 1967 (Acts 1967, p. 1486) which provides expense allowances for tax assessors in certain counties classified on a population basis.

By Messrs. Chesnut and Baker:

H. 1497. To repeal Act No. 873, H. 1203, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1582), entitled, "An Act To apply only in counties having populations of not less than 16,200 nor more than 17,200 inhabitants, authorizing the county board of education to fix expense allowances for members of the board."

By Messrs. Chesnut and Baker:

H. 1498. To repeal Act No. 722, H. 1018, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1557), entitled, "An Act To apply only in counties having populations of not less than 16,200 nor more than 17,200 according to the most recent federal decennial census; further regulating the compensation and meeting days of members of the county board of education in all such counties."

By Messrs. Chesnut and Baker:

H. 1499. To apply only in counties having populations of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census; authorizing the county board of education to fix expense allowances for its members; and further regulating the compensation and meeting days for members of such board of education in said counties.

By Messrs. Chesnut and Baker:

H. 1501. To amend the title and Section 1 of Act No. 936, H. 1352, Regular Session 1969 (Acts 1969, p. 1672) which authorizes the county commission to appropriate county funds to establish a contingent fund providing for the use of such funds in certain counties classified on a population basis.

By Messrs. Benton and Kinsey:

H. 1543. To amend the title and Section 1 of Act No. 407, H. 1, approved August 19, 1969 (Acts of Alabama, 1969, Vol. I, Page 798) entitled "An Act relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general funds of the county; and defining terms" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census and provide an effective date.

By Messrs. Kinsey and Benton:

H. 1544. To amend the title and Section 1 of Act No. 898, H. 1265, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1624) entitled "An Act applying only in counties having populations of not less than 48,500 nor more than 49,500, according to the most

recent federal decennial census; providing for additional meetings of the governing bodies of such counties and for additional compensation and expense allowances for the members of said body, including the chairman" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census and to provide an effective date.

By Messrs. Benton and Kinsey:

H. 1545. To amend the title and Section 1 of Act No. 895, H. 1262, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1622) entitled "An Act to provide for the supplemental compensation of the court reporter of the circuit court of any county having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census and to provide an effective date.

By Messrs. Kinsey and Benton:

H. 1546. To amend the title and Section 1 of Act No. 931, H. 1345, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1669) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500, authorizing the governing body of any such county to appropriate county funds to certain non-profit organizations" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

By Messrs. Benton and Kinsey:

H. 1547. To further amend Section 1 of Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159) as amended by Act No. 1183, H. 1344, approved September 13, 1969 (Acts of Alabama 1969, Vol. III, Page 2212) entitled "An Act to amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

By Messrs. Kinsey and Benton:

H. 1548. To amend the title and Section 1 of Act No. 930, H. 1343, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1668) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500, to provide that the county governing bodies of such counties shall furnish necessary transportation for travel on official business of certain county officers" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census and to provide an effective date.

By Messrs. Benton and Kinsey:

H. 1549. To amend the title of Act No. 589, H. 594, approved September 8, 1967 (Acts of Alabama, 1967, Vol. II, Page 1362) entitled "An Act to amend Act No. 616, H. 1163, Regular Session 1965 relating to counties having populations of not less than 48,200 nor more than 49,200 according to the most recent federal decennial census, and making further provisions respecting meetings of the board of registrars in such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

By Messrs. Kinsey and Benton:

H. 1550. To amend the title and Section 1 of Act No. 545, S. 604, approved September 7, 1967 (Acts of Alabama, 1967, Vol. II, Page 1294) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500; providing an additional allowance for the tax assessors and tax collectors of such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

By Messrs. Benton and Kinsey:

H. 1551. To amend the title and Section 1 of Act No. 60, H. 5, approved August 17, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 82) entitled "An Act to apply only in counties in the state having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, and to provide an effective date.

By Messrs. Kinsey and Benton:

H. 1552. To amend the title and Section 1 of Act No. 182, S. 128, approved August 23, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 215) entitled "An Act to apply only in counties having populations of not less than 48,500 nor more than 49,500 according to the most recent federal decennial census; authorizing the county governing body to contribute county funds towards the construction and equipment of a museum" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.



By Messrs. Benton and Kinsey:

H. 1553. To amend the title and Section 1 of Act No. 354, H. 356, approved September 12, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 495) entitled "An Act to apply only in counties having populations of not less than 48,500 nor more than 49,500; regulating official bonds of county officers and employees and repealing conflicting laws" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

By Messrs. Kinsey and Benton:

H. 1554. To amend the title and Section 1 of Act No. 396, H. 903 approved August 16, 1965 (Acts of Alabama, 1965, Vol. I, Page 573) entitled "An Act to provide an expense allowance for each circuit judge of all judicial circuits, composed of only one county, which has a population of not less than 48,020 nor more than 49,750, according to the most recent federal decennial census, when the circuit judge is ex officio judge of the juvenile court; and to provide for the payment of such expense allowance out of the general fund of the county" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

By Messrs. Benton and Kinsey:

H. 1555. To amend the title and Section 1 of Act No. 616, H. 1163, approved August 26, 1965 (Acts of Alabama, 1965, Vol. II, Page 1130) entitled "An Act to regulate further the meeting days and compensation of the county boards of registrars in all counties having populations of not less than 48,200 nor more than 49,200, according to the most recent federal decennial census" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

By Messrs. Kinsey and Benton:

H. 1556. To amend the Title and Section 1 of Act No. 171, S. 109, approved April 5, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 222) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,750; to provide for payment by the county of per diem allowances to members of boards of registrars in such counties" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

By Messrs. Benton and Kinsey:

H. 1557. To amend the title and Section 1 of Act No. 236, H. 270, approved September 2, 1964 (Acts of Alabama, Special Sessions 1964, Vol. I, Page 321) entitled "An Act to fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply

to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

By Messrs. Kinsey and Benton:

H. 1558. To amend the title and Section 1 of Act No. 180, H. 221, approved August 28, 1964, (Acts of Alabama, Special Sessions 1964, Vol. I, Page 246) entitled "An Act to authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

By Messrs. Benton and Kinsey:

H. 1559. To amend the title and Section 1 of Act No. 363, H. 757, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 383) entitled "An Act to provide contingent funds for all counties having populations of not less than 48,500 nor more than 49,500, and regulating the use of such funds" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming Law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

By Messrs. Kinsey and Benton:

H. 1560. To amend the title and Section 1 of Act No. 345, H. 639, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 365) entitled "An Act to empower the board of revenue, court of county commissioners, or other like governing body of counties having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the 1960 or any subsequent federal decennial census, to authorize the offices of officials in the courthouse to be closed all day on Saturday each week" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

By Messrs. Benton and Kinsey:

H. 1561. To amend the title and Section 1 of Act No. 350, H. 644, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 368), entitled "An Act relating to corporations organized to operate municipal water, sewer, gas, and electric systems, regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 48,500 nor more than 49,500, according to the 1960 or any subsequent federal decennial census" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

By Messrs. Kinsey and Benton:

H. 1562. To amend the title and Section 1 of Act No. 349, H. 643, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 367) entitled "An Act relating to all counties having a population of not less than 48,500 nor more than 49,500 according to the 1960 or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

By Messrs. Benton and Kinsey:

H. 1563. To amend the title and Section 1 of Act No. 846, H. 1529, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1263) entitled "An Act relating to the appointment, duties, and compensation of the county treasurer in all counties having populations of not less than 48,500 nor more than 49,750" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

By Messrs. Benton and Kinsey:

H. 1564. To amend the title and Section 1 of Act No. 845, H. 1528, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1262) entitled "An Act to authorize the employment of an administrative assistant to the governing body of any county having a population of not less than 48,500 nor more than 49,750" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

By Messrs. Kinsey and Benton:

H. 1565. To amend the title and Section 1 of Act No. 439, H. 641, approved August 28, 1953 (Acts of Alabama 1953, Vol. I, Page 546) entitled "An Act relating to municipal corporations; providing that the governing body of any town (as defined by Section 5, Title 37, Code 1940) located within a county having a population of not less than 40,500 nor more than 45,000, according to the last or any subsequent federal decennial census, for which a corporation has been organized to operate a waterworks, sewer, gas, or electric system under the provisions of Act No. 175, S. 280, approved June 29, 1951, as amended, may increase the number of directors of such corporation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

By Messrs. Turnham, Brassell and Adams:

H. 797. To provide office furniture, supplies, and equipment and a secretary for the Circuit Judge for the Thirty-seventh Judicial Circuit.

By Mr. Hale, et al:

H. 1590. Relating to cities having a population of not less than 135,000 nor more than 185,000, according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

By Mr. King, et al:

H. 1591. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

By Mr. King, et al:

H. 1592. Relating to the powers of cities having a population of not less than 135,000 and not more than 185,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic character of the city, including designating historic districts, defining the boundaries of such districts, establishing certain agencies, procedures and regulations to promote the preservation of such districts, conferring certain duties and powers upon such agencies, and adopting other provisions necessary to effect the purposes of this Act.

By Mr. Grainger, et al:

H. 1593. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

By Mr. Grainger, et al:

H. 1594. Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations.

By Mr. Hearn, et al:

H. 1595. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

By Mr. Hale, et al:

H. 1596. Relating to cities having a population of not less than 135,000 nor more than 185,000 according to the last or any subsequent federal decennial census; providing that such cities shall be governed by a mayor and five councilmen; providing for the election of the mayor and council of all such cities; further providing for the powers

and duties of the mayor in said cities; providing for qualifying fees for each person who is a candidate for office of the mayor and for office of the council in said cities; further providing for the compensation of the mayor within said cities; providing for the appointment by the Mayor of an administrative assistant to the mayor within said cities; and providing for an effective date for this act.

By Mr. Stubbs (with notice and proof):

H. 1685. To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein.

By Mr. Stubbs (with notice and proof):

H. 1686. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

By Messrs. Chesnut and Baker (with notice and proof):

H. 1704. To provide further for the election and qualifications of the members of the governing body of Cherokee County.

By Mr. Stubbs (with notice and proof):

H. 1696. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

By Messrs. Baker and Chesnut (with notice and proof):

H. 1705. To amend Section 12 and 13 of Act Number 418 approved November 13, 1959: To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitute therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. King, Dominick, Vacca, Bailes, Hawkins, Cook and Gilmore:

S. 795. To provide for the filing for record and the preservation of all orders and Decrees made and entered by any Judge of the Circuit Court in all counties having a population of 500,000 or more according to the last or any subsequent federal census.

By Mr. Dill, et al:

H. 534. To provide that in any county in the State having a population of 600,000 or more according to the last or any subsequent federal census any person who in payment of any tax issues a worthless check or a check which is not paid by the bank upon which it is drawn shall be subject to a penalty.

By Mr. Dill, et al:

H. 535. To amend Section 4 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, Page 1132, et seq.) which fixes, levies and requires the payment of a license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census.

By Mr. McBride, et al:

H. 850. To apply only in counties having a population of 500,000 or more according to the last or any succeeding decennial federal census; to authorize any county board of education in such county to provide insurance against loss or damage by fire, lightning, windstorm, hail or other peril, and any or all school buildings or properties, equipment, furniture or supplies stored in such building which belong to said county board or in which such county board has an interest.

By Mr. Falkenburg, et al:

H. 1215. Authorizing any water works board of any city having a population of 300,000, or more, according to the last or any subsequent federal census to lease any land owned or controlled by said water works board to any public authority of the same city created under Act No. 215 of the Regular Session of the Legislature of Alabama of 1947, approved July 24, 1947 (Ala. Acts of 1947, p. 81 et seq.), for any consideration agreeable to the water works board and such public authority, and authorizing such water works board to enter into such lease when the only consideration therefor is the benefit accruing from the public use of the land for the purposes for which said Act No. 215 provides such public authority is created, subject to the conditions prescribed by this Act.

By Mr. Meeks, et al (with notice and proof):

H. 1217. To amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts 1965, p. 717 et seq.), as heretofore amended, which said Act established a retirement and pension system for the officers and employees of Jefferson County, Alabama.

By Mr. Parker, et al:

H. 1089. To authorize and make provision for the incorporation in any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such county within which any such Authority proposes to furnish any such service and the governing body of the municipality in such county having the largest population according to the then most recent Federal Decennial Census; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the county by which its incorporation was authorized and by the governing body of the municipality in such county having the largest population according to the then most recent Federal Decennial Census; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities

and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which such securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees

of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

### RESOLUTIONS

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 65. RESOLVED BY THE SENATE That the following bills be made special, paramount and continuing order of business for the Senate until disposed of, taking priority over all other bills on the calendar immediately upon adoption of the Resolution, and continuing on subsequent days on reaching Bills on Third Reading on the Regular Order of Business:

BILL NO.	PAGE NO.
1. H. B. 50	108
2. H. B. 46	169
3. H. B. 47	170
4. H. B. 49	170

Messrs. Givhan, Bailes, Branyon, Carr, Clark, Cook, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Hammond, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pelham, Pierce, Register, Shelby, Vacca, Weaver, Wilder, Wilson and Lieutenant Governor Beasley offered the following Senate Joint Resolution, to-wit:

S. J. R. 66. WHEREAS, It has been learned to our sorrow that Honorable William Riley Cooper, father of our colleague Senator Roland Cooper, died at 7 P. M. on August 4, 1971; and

WHEREAS, Mr. Cooper, who reached his eighty-sixth birthday in January, was a resident of Loxley, Alabama, and a distinguished citizen thereof; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE CONCURRING, That we do mourn the death of Honorable William Riley Cooper, and do extend our profound sympathy to Senator Cooper and other members of the family;

BE IT FURTHER RESOLVED that copies of this resolution be sent to Senator Cooper, Kenneth Cooper, Bay Minette; Carlos E. Cooper, Long Beach, California; Mrs. Dorothy Martin, Bay Minette; and to Mr. Cooper's brother—Rudolph Cooper, Biloxi, Miss., and Mrs. Georgia Chilton, Loxley, Alabama.

On motion of Mr. Givhan, the Rules were suspended and the Resolution was adopted by the Senate.

### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.



## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 289. To provide for the collection and enforcement by the State Department of Revenue certain taxes levied by the county governing body of each of the several counties for public school purposes.

JOHN W. PEMBERTON,  
Clerk.

## RESOLUTION

Mr. Wilder offered the following Senate Joint Resolution, to-wit:

S. J. R. 67. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Wednesday, August 11; and when they adjourn on Wednesday, August 11, they adjourn to meet again on Thursday, August 12.

Which was read and referred to the Standing Committee on Rules.

## FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 66. Mourning the death of William Riley Cooper, Father of Senator Roland Cooper.

JOHN W. PEMBERTON,  
Clerk.

## ADOPTION OF RESOLUTIONS

The Resolution:

S. R. 63. Extending Best Wishes for recovery to Richard Arnold, son of Eddy Arnold.

was read and, on motion of Mr. Gilmore, was adopted by the Senate.

## FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

## ADJOURNMENT

At 7:30 P. M., on motion of Mr. Clark, pending further consideration of S. R. 65 and S. B. 59, the Senate adjourned until Tuesday, August 10, 1971, at 10 o'clock A. M.

Yeas 22; Nays 11.

*Yeas:*

Messrs.:	Givhan	Littleton	Owen	
Branyon	Hammond	Lybrand	Pelham	
Clark	Harris	McLain	Register	
Fine	Hawkins	Malone	Weaver	
Foshee	Horne	Noonan	Wilson	
Gilmore	Lindsey	O'Bannon		—22

*Nays:*

Messrs.:	Dominick	Jones	Shelby	
Bailes	Dozier	King	Vacca	
Carr	Edington	Pierce	Wilder	—11

TWENTY-FIFTH LEGISLATIVE DAY

TUESDAY, AUGUST 10, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by Dr. R. Elmer Nielson, Pastor, Capitol Heights Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	—35

JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-fourth Legislative Day was approved by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 686. To amend Sections 2 and 4 of Act No. 631 (H-829) adopted in the 1967 Regular Session of the Alabama Legislature said Act being entitled:

"To provide that any city of the state having a population of 300,000 inhabitants or more according to the last or any subsequent federal census shall have authority, after notice as provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment to constitute a lien on said property; and to provide a method of collecting such assessments."

Also:

H. 522. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties.

JOHN W. PEMBERTON,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

## RECESS

At 10:10 A. M., on motion of Mr. Pelham, the Senate took a Recess until 2 o'clock this afternoon, in order to hold the Quadrennial meeting of the Senators Association of Alabama.

The Recess period having expired, the Senate was called to order by Lieutenant Governor Beasley; and a quorum of the Senate was present.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Lindsey and Lybrand:

S. 1044. To amend Section 7 of Act No. 606, S. 112, Regular Session, 1969, an Act to create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

Committee on Judiciary.

By Mr. Harris:

S. 1045. Proposing an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for library service in Morgan County.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Fine:

S. 1046. To provide for and require reidentification of the registered electors of Marion County; imposing duties upon the board of registrars and other county officers, and upon the electors whose names appear on lists of qualified voters, prescribing penalties.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 1047. To provide compensation for total disability and death due to pneumoconiosis of underground coal miners as herein defined in compliance with the mandate of the Congress of the United States as required by the provisions of public law 91-173 of the Ninety-First Congress and to provide for standards and presumptions for determining when and under what conditions total disability or death is due to pneumoconiosis as herein defined and to provide that any claim or action filed hereunder for such total disability or death shall be deemed to have been timely filed if filed as herein required within three years of the discovery of such total disability or the date of death in the case of death. And to provide for the liability for the benefits herein provided of prior and successor operators as herein defined for miners employed at such mines on or after January 1, 1973.

Committee on Business and Labor.

By Mr. Wilson:

S. 1048. To make an appropriation from the Alabama special educational trust fund in the state treasury to the use of the George C. Wallace State Trade School.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 1049. To make an appropriation from the Alabama special educational trust fund in the state treasury for the use and benefit of Walker County State Trade School.

Committee on Finance and Taxation.

By Mr. Dominick:

S. 1050. Relating to the powers of counties having populations of 600,000 or more according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Committee on Local Legislation No. 2.

By Mr. Harris:

S. 1051. To amend Act No. 1049, S. 8, Legislature of 1969 (Regular Session), approved September 12, 1969 (Acts of 1969, Vol. III, pp. 1939-1965), an Act to provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution within this State; etc., by amending Section 1 (k), Section 1 (1) (5) and Section 2, 7 (c), 10 (c), 15 and 16 (a) of said Act to the end that the requirements of said Act will be at least equal to requirements imposed by the provisions of the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act.

Committee on Agriculture.

By Mr. Lindsey:

S. 1052. Relating to counties having populations of not less than 16,350 nor more than 16,550, fixing the jurisdiction of the Inferior Courts in such counties; providing for the compensation of special judges in such counties of said Inferior Court.

Committee on Local Legislation No. 1.

By Mr. Lindsey:

S. 1053. Relating to Choctaw County; to provide for the appointment of the county superintendent of education; to prescribe the qualifications, duties, term of office, and compensation of such officer; and to repeal all conflicting laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

Notice is hereby given that the following bill will be introduced in the Alabama Legislature affecting Choctaw County, Alabama.

#### A BILL TO BE ENTITLED AN ACT

Relating to Choctaw County; to provide for the appointment of the county superintendent of education; to prescribe the qualifications, duties, term of office, and compensation of such officer; and to repeal all conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The County board of education of Choctaw County shall appoint the county superintendent of education, who shall take office on the first day of July next succeeding his appointment and shall serve for a term of two years and until his successor is appointed and qualified. If there be a vacancy in the office from any cause whatever, the county board of education shall fill such vacancy in the manner provided by the general laws of the State. The incumbent superintendent of education of Choctaw County shall serve until the expiration of his current term of office as presently provided by law.

Section 2. The county superintendent of education of Choctaw County shall be a person of good moral character, of recognized ability as a school administrator, with academic and professional education equivalent to graduation from a standard university or college, having a master's degree, and shall have had not less than five years of experience in public school work.

Section 3. The Choctaw County superintendent of education shall perform and discharge all the duties prescribed by general law for the county superintendent of education, and any additional duties heretofore or hereafter prescribed by local law.

Section 4. The salary of the county superintendent of education shall be fixed by the county board of education at an amount not exceeding twenty-five percent (25%) above the other highest paid employee in the county school system per year, which shall be payable at the time and in the manner prescribed by the general laws of Alabama regulating the payment of compensation of county superintendents education.

Section 5. The county board of education shall fix an automobile expense allowance for the county superintendent of education at an amount not exceeding \$2,400 per year.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act, are hereby repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
CHOCTAW COUNTY

I, C. D. Bozeman, Editor and General Manager of The Choctaw Advocate, a newspaper published at Butler, Choctaw County, Alabama, do hereby certify that a copy of the Attached Notice as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not any supplement thereof, for 4 consecutive weeks commencing with the issue date July 15, 1971, and ending with the issue dated August 5, 1971. I further certify that I have the right and authority to make this affidavit.

C. D. BOZEMAN.

Sworn and subscribed to before me this, the 5 day of August, 1971.

NELL F. EZELL.  
7-17-74.

By Mr. Owen:

S. 1054. Relating to Baldwin County; reorganizing the Baldwin County Commission; to provide further for the number of members of the commission; their election, terms, duties and compensation; and requiring a referendum.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICES

#### STATE OF ALABAMA COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Baldwin County; reorganizing the Baldwin County Commission; to provide further for the number of members of the commission; their election, terms, duties and compensation; and requiring a referendum.

Be It Enacted by the Legislature of Alabama:

Section 1. Any other provision of the law notwithstanding, the Baldwin County Commission shall consist of three members who shall be elected by the qualified voters of the county at large. Each member so elected shall be a registered voter and a resident of Baldwin County. However, the incumbent members of the commission shall serve until the expiration of the terms to which they were elected.

Section 2. At the general election held in November 1972, there shall be elected by the qualified electors of the entire county, a county commissioner for District 1 and District 3. Each shall be elected for a term of two years or until their successors are elected and qualified. They shall take office on January 1, 1973.

Section 3. At the general election in November 1974, a county commissioner for Place No. 3 shall be elected. He shall take office on January 1, 1975. On that date Place No. 4 shall be abolished.

Section 4. Each incumbent commissioner on the effective date of this act and each commissioner who takes office on January 1, 1973, shall have the powers, duties, and responsibilities now imposed on him by law as a member of the Baldwin County governing body. A candidate for election to membership on the Baldwin County Commission for the term of 4 years beginning January 1, 1975, and each term thereafter shall qualify and run for one of the following places and specific duties:

Place No. 1 and Chairman of the Baldwin County Commission

Place No. 2 and Baldwin County Treasurer

Place No. 3 and Baldwin County Road and Bridge Commissioner

All the powers and duties imposed by general or local law on the Baldwin County Commission prior or subsequent to January 1, 1975, shall be acted upon by the commission as a whole.

Section 5. The commissioners elected under the provisions of this act shall devote their full time to their official duties and shall receive as their entire compensation \$12,000 annually. Such salary shall be paid in equal monthly installments as the salaries of other officers are paid.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are repealed.

Section 8. The provisions of this Act shall become effective only if approved by a majority of the electors of Baldwin County voting in a referendum to be held at the next general or special election held in the county following the expiration of at least thirty days after the final adjournment of the present session of the legislature. The governing body of Baldwin County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Shall the provisions of Act No. \_\_\_\_\_ of the 1971 Regular Session of the Legislature which provides for the number of members of the commission and their compensation, be adopted? Yes ( ☐ ); No ( ☐ )." If a majority of the votes are "Yes," the provisions of this Act shall become effective immediately. If a majority are "No," this Act shall have no effect. The results of the election shall be certified by the probate judge to the Secretary of State, who shall make a permanent record thereof.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1971.

J. H. FAULKNER, JR.,  
Publisher.

Sworn to and subscribed before me August 9, 1971.

SAMUEL A. SMITH.

By Mr. Owen:

S. 1055. To amend Section 713, Title 7, Code of Alabama 1940 as last amended, to allow legal advertisement in any newspaper regardless of where such newspaper is printed; and requiring such newspapers to be published for at least fifty-one weeks a year.

Committee on Commerce, Transportation  
and Common Carriers.



By Mr. Pelham:

S. 1056. To propose an amendment to the Constitution of Alabama relative to the effect of school laws and provisions of the Constitution relating to education in Mobile County.

Committee on Local Legislation No. 1.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Pelham:

S. 1057. To provide for holding a state-wide advisory referendum election at which there shall be referred to the electorate for advice concerning freedom of choice in public schools.

Committee on Finance and Taxation.

By Mr. Register:

S. 1058. Relating to all counties having populations of not less than 52,400 nor more than 54,000, according to the most recent federal decennial census; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

Committee on Local Legislation No. 1.

By Mr. Cooper:

S. 1059. Proposing an amendment to the Constitution of Alabama relating to the issuance and sale of revenue bonds by cities or counties.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Cooper:

S. 1060. Proposing an amendment to the Constitution of Alabama requiring approval of the qualified electors of the state prior to the issuance and sale of revenue bonds.

Committee on Finance and Taxation.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Cooper:

S. 1061. Relating to Wilcox County; to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Wilcox County; to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Be It Enacted by the Legislature of Alabama:

Section 1. The Director of the Department of Conservation is hereby authorized and empowered to promulgate rules and regulations authorizing the taking, catching or killing of non-game fish from the public waters of Wilcox County by the use of wire baskets having a mesh of one inch or more, provided, however, that the Director of the Department of Conservation shall only promulgate such a regulation upon the written petition of the State representatives and State Senator from the county.

Section 2. Any person desiring a license to fish with such wire basket in areas where they may be legalized by regulation as provided for above, may apply to the probate judge or other appropriate licensing authority of the county and shall pay a privilege license tax of one dollar (\$1.00) for each wire basket with which he proposes to fish. The judge of probate or other persons authorized and designated to issue fishing licenses shall be entitled to a fee of twenty-five cents (25¢) for each license so issued, which fee shall be in addition to the amount designated to this Act as the cost of such license. The probate judge shall issue such license on forms provided by the Department of Conservation and shall keep a permanent record of all licenses issued and all taxes received. Licenses shall be issued on a fiscal year basis and all licenses issued in any year shall expire on September 30 of that year.

The revenue derived from the sale of the license provided for in this Act shall be remitted to the Department of Conservation on the first day of each month by the issuing officer and shall be covered into the state treasury to the credit of the game and fish fund.

Section 3. It shall be illegal for any person to obtain more than four (4) such licenses or fish with more than four (4) such baskets.

Section 4. Any basket or baskets that may become legal for use in the waters of the county under the provisions of this Act shall be clearly marked with the name of the licensee operating, using and owning said basket and the license number of said basket.

Section 5. All wire baskets not marked in accordance with the provisions of the preceding section shall be destroyed upon discovery by any officer, agent or employee of the Department of Conservation.

Section 6. Only non-game fish may be taken, captured or killed by means of any basket that may become legal for use in the county under the provisions of this Act. All game fish taken in such baskets shall immediately be returned to the waters from whence taken with the least possible harm.

Section 7. The licenses provided for in this Act shall not be sold to any person holding a commercial fishing license or engaged in the business of commercial fishing, and it shall be unlawful for any persons holding a wire basket license or using a wire basket under the provisions of this Act to sell or offer for sale any fish within or without

the county. (It is the specific intent of this Act to allow the use of wire baskets to catch fish for personal consumption only.)

Section 8. It shall be illegal for any person to raise, inspect or take fish from any wire basket that may be legalized under the provisions of this Act unless such person shall hold in his name and have in his possession the license for the particular basket he is raising, inspecting or from which he is taking fish. Nothing in this section shall prevent the raising of such baskets for inspection by any officer, agent or employee of the Department of Conservation.

Section 9. Any person who violates the provisions of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five (\$25) dollars. In addition, all basket licenses for such persons shall be revoked and no other such licenses shall be issued to him until the expiration of a period of three (3) years from the date of such conviction.

Section 10. All laws or part of laws, general, local or special, in conflict with this Act are hereby repealed.

Section 11. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Era, a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and Aug. 5, all in the year 1971.

M. HOLLIS CURL.

Sworn to and subscribed before me Aug. 6, 1971.

GLEND A. CURL,  
Notary Public.

By Messrs. Pierce and Jones:

S. 1062. To authorize each municipality at any time having a population as great as 70,000 and not exceeding 135,000, according to the then next preceding Federal Census, to acquire, own, improve maintain, and operate within the county in which such municipality is located, a public transit system for the transportation of passengers for hire; to provide that any such municipality shall have the power to expend moneys with respect to any such system; and to provide for the use by any such municipality of public roads in the said county in the operation of such system.

Committee on Local Legislation No. 1.

By Messrs. Pierce and Jones:

S. 1063. To provide additional alternative procedures whereby incorporated municipalities with populations of not less than 70,000 nor more than 135,000 may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 1064. To establish and operate nursing programs at Northwest Alabama State Junior College at Phil Campbell, Alabama and to authorize the conferring of Associate degrees in nursing at Northwest Alabama State Junior College, provide money for the equipping of school for the nursing programs and operational moneys therefor.

Committee on Finance and Taxation.

By Mr. Register:

S. 1065. To amend further Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to delete therefrom the amendments made by Act No. 48, S. 211, of the current Regular Session and to re-enact said Sections 1 and 2 of said Act No. 648 of 1949 in the form in which they were prior to such amendment relating to Industrial Development Financing.

Committee on Commerce, Transportation  
and Common Carriers.

By Mr. Givhan:

S. 1066. Relating to Perry County; to authorize and require the State Department of Revenue to refund to such county a portion of the state sales tax paid on purchases made with food stamps; and to provide for the use of such refunds.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Perry County; to authorize and require the State Department of Revenue to refund to such county a portion of the state sales tax paid on purchases made with food stamps; and to provide for the use of such refunds.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Department of Revenue shall refund to Perry County and the municipalities therein, that portion of the sales tax

collected under the provisions of Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, equal to the difference in the amount paid in Perry County for food stamps by the purchasers thereof and the face value of such stamps.

Section 2. Not later than the 20th day of each month next succeeding the month in which the sales were made the Director of the Bureau of Commodity Distribution, Department of Pensions and Security shall submit to the Commissioner of Revenue a statement showing the total amount received during the succeeding month from the sale of food stamps to the residents of Perry County and the face value of such stamps. Within five days thereafter the Commissioner of Revenue shall determine the difference between the amount paid for the stamps and the face value of such stamps and the amount of revenue received by the state from the sales tax on such difference. The Commissioner of Revenue shall divide such revenue and distribute it as follows: One-third shall be remitted to Perry County; one-third shall be remitted to the City of Marion; and one-third shall be remitted to the City of Uniontown.

Section 3. Any funds received under the provisions of this act by Perry County, the City of Marion, or the City of Uniontown shall be expended in such county or city on financing the food stamp program or as matching funds for any state or federal program which requires local matching funds.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1971.

ALBERT STEWART.

Sworn to and subscribed before me July 12, 1971.

ELIZABETH F. STEWART,  
Notary Public, Perry Co., Ala.

By Mr. Lindsey:

S. 1067. To authorize the county solicitor of all counties having a population of not less than 16,000 nor more than 16,250 according to the most recent Federal Decennial Census to employ an assistant

district attorney and to authorize and regulate the payment of compensation to such an assistant from county funds.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 1068. Relating to Walker County; regulating costs and charges of certain courts in said county.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Walker County; regulating costs and charges of certain courts in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Walker County, fees for services rendered in civil cases at law in the circuit court shall be as follows:

CLERK'S FEES:

Suits for \$100.00 or less—	\$.65
Suits for over \$100.00 but less than \$1000—	11.00
Suits for \$1000.00 and over—	22.00
Suits Detinue, ejectment, etc.—	11.00
Suits not otherwise provided for—	11.00
Appeal from Justice of Peace, etc.—	6.60
Garnishment on Judgment, etc.—	6.60
Workmen's Compensation-Petition Settlement—	11.00
Appeals from State Dept. of Pub. Safety, etc.—	11.00
Motion to sell real estate J. P. Levy—	6.60
Mandamus, writ of prohibition, etc.—	16.50
Recording Execution-State Agencies—	3.30
Copy of Record-per 100 words—	.15
Certifying Abstract in transcript—	5.50
Record for Supreme-Appeals Ct. per 100 wds.—	.15
Additional copies Record-Appeals per 100 wds.—	.05
Taking Appeal Bond—	.85
Reporter's Transcript on Appeal—	11.00
Appeals Courts Current Jurisdiction—	16.50
Application-Habeas Corpus—	6.60

## SHERIFF'S FEES:

Serving summons and complaint—\$1.65  
Levying attachment and return—6.90  
Seizing personal property-Detinue—6.60  
Approving bond, each—2.20  
Serving Garnishee-Writ—1.65  
Serving Sci. Fa. or notice—1.65  
Serving subpoenas, each—.85  
Impaneling Jury—.85  
Serving Contempt Attachment—1.65  
Collecting Execution for cost only—1.65  
Executing Writ of Possession, each—5.50  
Making Deed to Real Estate sold, each—2.75  
Mileage, each—.10

## MISCELLANEOUS FEES:

Trial Tax—\$3.30  
Library Fee—1.10

Section 2. Fees for services rendered in the circuit court in equity in said county shall be as follows:

## REGISTER'S FEES:

Docketing Cause—2.20  
Issuing Subpoena—1.05  
Per copy—.70  
Entering Return—.20  
Entering Appearance—.70  
Filing Bills or other papers—.20  
Decree pro confesso—1.70  
Noting all Testimony—.70  
Recording Questions and Answers per 100 words—.35  
For all other services relating to such proceedings—1.40  
Final Record, 100 words—.30  
Entering Decree—1.40  
Order of Publication—1.70  
Abstract of Publication, 100 words—.20  
Decree appointing Guardian ad Litem—1.70

- Issuing Attachment writ—1.25
- Entering return—.20
- Issuing injunction writ or ne exeat—1.95
- Per Copy—.70
- Entering Return—.20
- Entering order submitting cause for decree—.70
- Any other order—.35
- Copy of Bill or other paper, per 100 wds.—.20
- Issuing commission to take testimony—1.05
- Receiving and filing each package of testimony—.15
- Endorsing each package of depositions published—.15
- Taking accounts, swearing witness, etc., per day—4.15
- Taking testimony on reference, 100 words—.20
- Report of Register—4.15
- Issuing subpoena, each witness—.35
- Witness certificate—.35
- Hearing application for appointment of Receiver or Trustee—4.15
- Settlement with Receiver, Trustee, Adm. or Exec.—5.50
- Examining Vouchers—.20
- Examining Answer or exception—4.15
- Deed to property sold—5.50
- Notices sent by mail to creditors—.20
- Filing, Receipting for and docketing each claim—.35
- Entries on subpoena docket—.70
- Entries on commission docket—.70
- Issuing certificate of Judgment to be recorded in Probate Court—.35
- Taking and approving Bond—\$1.40
- Each certificate or affidavit with seal—1.10
- Each certificate or affidavit without seal—.70
- Each Notice not otherwise provided for—1.10
- Entering orders by the Register—.70
- Recording resignation, removal, or suggestion of death of trustee—  
1.10
- Entering each certificate of Supreme Court—.70
- Transcript, per 100 words—20
- For each additional copy of transcript—1.05
- State certificate—.70



Relieving minors of disability of non-age—8.80

Answer and Waiver Divorce case, 2 copies of Decree—13.20

Decree Pro Confesso on Personal service, Divorce case, 1 copy of decree—22.00

Decree Pro Confesso on Registered mail service, Divorce case, 1 copy of decree—22.00

Decree Pro Confesso on Publication, divorce Case with 1 copy of decree—22.00

Certified copy of Divorce decree—1.40

Issuing execution—1.10

Entering return—.20

#### SHERIFF'S FEES:

Summoning on Bill, Each Defendant—1.65

Executing Writ of Injunction, or Ne Exeat, Each—1.65

Executing Subpoenas for Witnesses, Each—.85

Executing Writs of Possession, Each—5.50

Executing Scire Facias or Notice, Each—1.65

Taking and Approving Bonds, Each—2.20

Impaneling Jury—.85

Collection Execution for Costs Only, Each—1.65

#### TAX AND MISCELLANEOUS FEES:

Court Reporter's Fees, Per Day or Fraction thereof—5.50

Trial Tax—3.30

Section 3. Fees for services rendered in the circuit court criminal division in said county, shall be as follows:

#### CLERK'S FEES—CIRCUIT COURT:

Misdemeanor-Defendent Pleads Guilty—9.90

Felony-Defendent Pleads Guilty—13.20

Misdemeanor-Defendent Pleads Not Guilty—11.00

Felony-Defendent Pleads Not Guilty—19.80

Misdemeanor-Nolle Prossed-Dismissed—8.80

Felony-Nolle Prossed-Dismissed—11.00

Preparing, Certifying Appeal—33.00

Conditional Judgment Set Aside—6.60

Forfeiture Final Judgment—7.70

Probation—1.10

**SHERIFF'S FEES—CIRCUIT COURT:**

Executing Writ of Arrest—\$5.50  
Committing prisoner to jail—2.20  
Serving subpoenas—each, G. J.—.85  
Serving subpoenas—each, Trial—.85  
Mileage executing Warrant—each—.10  
Servicing scire facias—each—.85  
Collecting execution for cost—1.65  
Finger Printing—1.10  
Approving bond—2.20

Fees for services rendered in the circuit court, criminal division in such county and payable by the state under Code of Alabama 1940, Title 45, Section 69 shall be as follows:

**CLERK'S FEES—CIRCUIT COURT:**

Misdemeanor-Defendant Pleads Guilty—11.00  
Felony-Defendant Pleads Guilty—16.50  
Misdemeanor-Defendant Pleads Not Guilty—11.00  
Felony-Defendant Pleads Not Guilty—16.50  
Hard Labor-Appeal Affirmed—22.00  
Penitentiary-Appeal Affirmed—33.00

**SHERIFF'S FEES—CIRCUIT COURT:**

Executing Writ of Arrest—5.50  
Committing prisoner to jail—2.20  
Serving subpoenas—each, G. J.—.85  
Serving subpoenas—each, Trial—.85  
Mileage executing Warrant—each—.10  
Approving bond—2.20

Section 4. Fees for services rendered in civil cases in intermediate court of Walker County, shall be as follows:

**CLERK'S FEES:**

Suits for over \$100.00 but less than \$1000—11.00  
Suits Dentinue, ejectment, etc.—11.00  
Garnishment on Judgment, etc.—6.60  
Appeals from State Dept. of Pub. Safety, etc.—11.00  
Mandamus, writ of prohibition, etc.—16.50  
Recording Executions-State Agencies—3.30  
Copy of Record—per 100 words—.15  
Taking Appeal Bond—.85

## SHERIFF'S FEES:

Serving summons and complaint—1.65  
Levying attachment and complaint—6.90  
Seizing personal property-Detinue—6.60  
Approving bond, each—2.20  
Serving Garnishee-Writ—1.65  
Serving Sci. Fa. or notice—1.65  
Serving subpoenas, each—.85  
Serving Contempt Attachment—1.65  
Collecting Execution for cost only—1.65  
Commissions on Execution—1.65  
Executing Writ of Possession, each—5.50  
Mileage, each—.10

## TAX AND MISCELLANEOUS FEES

Trial Tax—3.30  
Library Fee—.40  
Library Fee—1.10

Section 5. Fees for services rendered in the criminal division of the intermediate court of said county shall be as follows:

## CLERK'S FEES—INTERMEDIATE COURT

Misdemeanor-Pleads Guilty—9.90  
Felony-Pleads Guilty—13.20  
Misdemeanor-Pleads Not Guilty—11.00  
Felony-Pleads Not Guilty—19.80  
Misdemeanor-Nolle Prossed-Dismissed—8.80  
Forfeiture Final Judgment—7.70  
Probation—1.10

## SHERIFF'S FEE—INTERMEDIATE COURT

Executing Writ of Arrest—5.50  
Committing prisoner to jail—2.20  
Approving Bond—2.20  
Serving subpoenas—each, Trial—.85  
Mileage executing warrant—each—.10  
Serving scire facias—each—.85  
Collecting execution for cost—1.65

Finger printing—1.10

Fees for services rendered in the intermediate court, criminal division in such county and payable by the state under Code of Alabama 1940, Title 45, Section 69, shall be as follows:

Misdemeanor-Pleads Guilty—11.00

Felony-Pleads Guilty—16.50

Misdemeanor-Pleads Not Guilty—11.00

Felony-Pleads Not Guilty—16.60

#### SHERIFF'S FEE—INTERMEDIATE COURT

Executing Writ of Arrest—5.50

Committing prisoner to jail—2.20

Approving Bond—2.20

Serving subpoenas—each, Trial—.85

Mileage executing warrant—each—.10

Section 6. Fees for services rendered in the equity division of the intermediate court of said county, shall be as follows:

#### CLERK'S FEES

Answer and Waiver Divorce case, 2 copies of Decree—\$13.20

Decree Pro Confesso on Personal service, Divorce case 1 copy, of Decree—22.00

Decree Pro Confesso on Registered mail service, Divorce case, 1 copy of decree—22.00

Decree Pro Confesso on Publication, divorce Case with 1 copy of decree—22.00

Certified copy of Divorce decree—1.40

#### SHERIFF'S FEES

Summoning on Bill, Each Defendant—1.65

Executing Subpoenas for Witnesses,—Each—.85

Executing Writs of Possession, Each—5.50

Executing Scire Facias or Notice, Each—1.65

Taking and Approving Bonds, Each—1.10

Impaneling Jury—.85

Collection Execution for Costs Only, Each—1.65

#### MISCELLANEOUS TAX AND FEES

Court Reporter's Fees Per Day or Fraction Thereof—5.50

Trial Tax—3.30

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall not affect any case pending in court on the effective date of its enactment.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 9, July 16, July 23, and July 30, all in the year 1971.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 30, 1971.

R. W. BOTELER, JR.,  
Notary Public.

By Messrs. Noonan, Pelham and Dominick:

S. 1069. To replace the "Alabama Apartment Ownership Act" with a new statute establishing and regulating CONDOMINIUM developments, as regards definitions; the nature, ownership and rights to possession of condominium units, common elements and limited common elements; the establishment of condominium property and the contents and recordation of declarations and bylaws and the amendment thereof, deeds, mortgages and other instruments relating to units; the administration and management of condominiums; liability, civil actions and service of process by and against the condominium and its unit owners; the ascertainment and charging of expenses for common elements and limited common elements to unit owners; the assessment of taxes and other public charges to unit owners; liens for labor and materials for work on condominium property and individual units; the mortgaging of condominium property and individual units; the termination of the condominium form of ownership; statutory construction; severability of the statute and repeal of the present Alabama Apartment Ownership Act (Title 47, Sections 286-313).

Committee on Commerce, Transportation  
and Common Carriers.

By Messrs. O'Bannon and Fine:

S. 1070. To establish a Study Commission on Alabama's Judicial System; to prescribe its powers, functions, purposes and duties; to provide for the membership and officers of said Commission; to authorize such Commission to conduct studies and make recommendations pertaining to the judicial system and the administration of justice in Alabama.

Committee on Judiciary.

By Mr. Hammond:

S. 1071. To amend Act 493, House 765, Acts of Alabama, 1969, enacted at the 1969 Regular Session of the Legislature of Alabama, to provide for the leasing of heavy duty off-highway construction equipment including the machinery used for grading, drainage; road construction and compaction for the exclusive use of County and municipalities, highways, streets and sanitation departments by the County Board of Revenue, or other similar County governing bodies, the governing bodies of municipalities of the State, and the governing board of instrumentalities of county and municipalities, relative to exemption from the competitive bidding and expenditure of public funds.

Committee on Commerce, Transportation  
and Common Carriers.

By Messrs. Bailes, King and Vacca:

S. 1072. To regulate the sale, purchase, possession and use of dynamite and tri-nitro-toluene (TNT), blasting caps or fuse or electric detonators; requiring permits for such purchases or possession and certain uses; providing for records and reports; and prescribing penalties for violations.

Committee on Commerce, Transportation  
and Common Carriers.

By Mr. McLain:

S. 1073. To provide for meetings of boards of registrars for various purposes, prohibiting registrations within 20 days of elections and repealing conflicting laws.

Committee on Constitution and Elections.

By Mr. McLain:

S. 1074. To amend Section 45, Title 17, Code of Alabama 1940, as amended, requiring certain information to be furnished to boards of registrars, so as to require the state registrar of vital statistics to furnish certain monthly reports to such boards; to provide for identification information on all such reports; and to provide for enforcement of this Act and Section 15 (2), Title 17, Code of Alabama 1940, as amended.

Committee on Constitution and Elections.

By Mr. McLain:

S. 1075. To provide boards of registrars with lists of persons who move for use in purging the list of registered voters and for placing names on the list of the proper precinct, ward, district or box for voting; requiring public utilities serving each county to furnish lists of meter disconnections and connections for water and electrical service.

Committee on Constitution and Elections.

By Mr. McLain:

S. 1076. To provide for the setting up of a file of registered voters by each board of registrars in the state; for making of monthly reports by registrars to the attorney general concerning numbers of persons on the list of registered voters; for reporting by voters of their addresses and other information; for purging from the list persons who have died, permanently moved away or who cannot be found in the county.

Committee on Constitution and Elections.

By Mr. McLain:

S. 1077. To provide for registration, in person or by mail, and voting of a limited absentee or paper ballot by (a) persons who move into this state thirty (30) days or more before a general election in which presidential electors are elected, but who have not met the requirements as to length of residence to vote a complete ballot in this state or any county thereof and (b) persons who move out of the state twenty-nine (29) days or less before such a general election; to provide the method of voting; and to provide for removal of their names from the list of voters following such general election.

Committee on Constitution and Elections.

By Mr. McLain:

S. 1078. To provide for casting of absentee ballots in primary, general, special and municipal elections; to define who is eligible to cast such ballots; to provide for application for, casting, counting and preserving of such ballots; to provide for compensation of officials charged with duties in connection therewith; to prescribe penalties for violation of the article; and to repeal all laws relating to the casting of absentee ballots including Act No. 424, 1949, Regular Session, page 601; Act No. 655, 1959, Regular Session, page 1585; Act No. 77, Extra Session, 1961, page 1954; Act No. 74, Extra Session, 1961, page 2134; Act No. 183, First Extra Session, 1964, page 250; Act No. 795, Regular Session, 1965, page 1494; Act No. 54, First Extra Session, 1965, page 72; Act No. 117, Second Extra Session, 1965, page 159; Act No. 176, Extra Session, 1967, which acts include all those sections now in Article 4A, Title 17, Code of Alabama, 1940, as amended.

Committee on Constitution and Elections.

By Mr. Hawkins:

S. 1079. To repeal Section 140 of Title 23 of the Code of Alabama, 1940, which prohibits the naming of any bridge, building or institution after a living person.

Committee on Commerce, Transportation  
and Common Carriers.

By Messrs. Gilmore and Jones:

S. 1080. Authorizing and empowering the Court of County Commissions or other county governing body to divide or redivide the County into Commission Districts and to otherwise provide for the qualifications and election of the members of the Commission.

Committee on County Government.

By Messrs. Gilmore and Jones:

S. 1081. Proposing an amendment to the Constitution of Alabama permitting the Legislature to place the sheriffs of the several counties in this State on a salary basis of compensation; providing for the disposition of certain fees, commissions, allowances, expenses, charges and Court costs previously collectible for the use of the sheriffs and directing and authorizing the County governing body to furnish the sheriff with the necessary financial support, supplies and employees to operate his office.

Committee on County Government.

The above Bill was read a first time at length as required by the Constitution.

## RESOLUTION

Mr. Bailes offered the following Senate Resolution, to-wit:

**S. R. 68. COMMENDING SENATOR ROBERT KENDALL, PRESIDENT OF THE SENATORS ASSOCIATION OF ALABAMA**

WHEREAS, Today, August 10, 1971, has been designated as Senate Reunion Day, the quadrennial meeting of the Senators Association of Alabama; and

WHEREAS, The members of this body have observed with great pleasure the fellowship of their predecessors, and have enjoyed making new friendships and renewing old acquaintances from among the distinguished members of this association; and

WHEREAS, This occasion has provided evidence of the great traditions of the Alabama State Senate, and has given us a valuable lesson in the continuity of strong state government; and

WHEREAS, The luncheon at the Montgomery Country Club was a delightful occasion, which members of the present Senate were honored to attend; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA That Senator Robert Kendall, President of the Senators Association, and U. S. Senator James B. Allen, Secretary, are to be commended for their efforts in putting together the arrangements for this reunion, thereby providing this Senate with a pleasant oasis amidst the noise of battle;

BE IT FURTHER RESOLVED That copies of this resolution be sent to Senator Kendall and Senator Allen.

On motion of Mr. Bailes, the Rules were suspended and the Resolution was adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 533, said Governor's message being in words and figures as follows, to-wit:

## MESSAGE FROM THE GOVERNOR

To The House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning House Bill Number 533, with a suggested Executive Amendment.

Respectfully submitted,

HARRY L. PENNINGTON,  
Executive Secretary.

Done this 5th day of August, 1971.



To The House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 533, without my approval and with a suggested Executive Amendment.

It is suggested that the Title and Section 1 of House Bill Number 533 be amended by substituting the word, "provide" for the word, "probate" wherever the same appears therein.

The adoption of the suggested Amendment will remove my objection to the bill.

Respectfully,

GEORGE C. WALLACE,  
Governor of Alabama.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 533, by a vote of Yeas 85, Nays 0, which was a majority of the whole number elected to the House and said bill:

H. 533. Amend Section 8 of Act No. 970, S. 378 on Page 1545, of the 1961 Acts of Alabama, Regular Session "to PROBATE AN ADDITIONAL AND ALTERNATIVE method of assessing, paying taxes on and issuing license tags for motor vehicles in counties having a population of 300,000 or more according to the last or any subsequent federal census.

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas, 86, Nays 0, which was a majority of the whole number elected to the House.

And said bill, H. 533, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Cook, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 533, the title of which and said executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce
Bailes	Gilmore	McLain	Register
Carr	Harris	Malone	Shelby
Cook	Hawkins	Noonan	Vacca
Dominick	Jones	Owen	Wilder
Edington	King	Pelham	Wilson
Fine	Littleton		

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 533, as thus amended by the executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Carr	Harris	Malone	Shelby	
Cook	Hawkins	Noonan	Vacca	
Dominick	Jones	Owen	Wilder	
Edington	King	Pelham	Wilson	
Fine	Littleton			—25

Nays: —0

which was a majority of the whole number elected to the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 362. To amend further Act No. 661, Regular Session 1951 (Acts 1951, p. 1125), as amended, which act regulates Barbers, Barber Shops and Barber Colleges etc., and which creates a Barber Commission for all counties having a population of 400,000 or more according to the last or any subsequent federal decennial census, by revising the manner of selecting commissioners.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Cook, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 362, the title of which is set out in the foregoing Message from the House, to-wit:

#### AMENDMENT TO S. B. 362:

Amend Senate Bill 362 by adding at the end of Section 1 (which amends Section 3) on Page 3, the following:

"Whereas, an election to fill vacancies on the Commission is now in progress, the candidate for vacancies of the term beginning September 1, 1971, will serve as follows: The candidate receiving the highest number of votes in the election shall serve a term of three (3) years beginning September 1, 1971, and ending August 31, 1974. The candidate receiving the second highest number of votes shall serve a term of two (2) years beginning September 1, 1971, and ending August 31, 1973."

Delete the word "on" in the 18th line from the bottom of page 2 and substitute in lieu thereof the words "or other".

Following the word "inspectors" on the 15th line from the bottom of page 2, add the following words "subject to the approval of the Commission"

On the 27th line from the top of page 2, delete the word "appointed" and substitute in lieu thereof the word "elected".

Following the word "nomination" on the 8th line from the bottom of page 1, add the following words "for the members"

#### AMENDMENT TO S. B. 362:

Amend S. B. 362, Section 1 (which amends Section 3) by striking the words and figure "Twenty Dollars (\$20.00)" and inserting in lieu thereof the words and figure "Thirty Dollars (\$30.00)" wherever it appears.

Also, at the end of the first line on Page 3 strike the period and add the following:

"Provided, however, that no barbers license shall be issued to an individual for the practice of barbering unless said individual shall meet the following qualifications:

- "1) 1,500 hours from an accredited Barber College
- "2) High School Education or the equivalent
- "3) Of good moral character"

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Fine	Littleton	Pierce
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Vacca
Cook	Harris	Noonan	Wilder
Cooper	Hawkins	O'Bannon	Wilson
Dominick	Jones		

—25

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 571. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in DeKalb County to prescribe the fee for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Hammond, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 571, the title of which is set out in the foregoing Message from the House, to-wit:

## AMENDMENT TO S. B. 571

Amend S. B. 571 by striking Section 5 and by substituting therefor the following:

"Section 5. The holder of a license issued pursuant to this Act, his guest, and patrons may hunt, take, capture kill, or otherwise recover during the year no more than 80 per cent of the total number of each species of birds released on the preserve during such year. The season during which each species of birds may be hunted, taken, captured, killed, or otherwise recovered on such preserve and the bag limits shall be prescribed by the state director of conservation; but in no event shall the season be longer than six months, nor shall it begin before October 1, nor extend later than March 31 of any year."

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Register	
Carr	Gilmore	<u>McLain</u>	Vacca	
Clark	Hammond	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 502. Relating to Walker County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Walker County.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Wilson, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 502, the title of which is set out in the foregoing Message from the House, to-wit:

## AMENDMENT TO S. B. 502

Amend S. B. 502, Section 2 by striking the third sentence in said section.

Also amend page 2, Section 12 by deleting it in its entirety and renumbering the remaining sections of the bill.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Branyon	Fine	Littleton	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith (P), Connell and Mims:

H. 894. To regulate the sale, offering for sale, distribution and transportation of pesticides by prescribing certain conditions and requirements therefor; to provide that the sale, offering for sale, distribution and transportation of certain highly toxic pesticides may be restricted, limited in use or prohibited; to require the annual registration of pesticides with the Commissioner of Agriculture and Industries before such products are sold, offered for sale or delivered or transported within this State; to require use permits for the purchase and use of restricted use pesticides; to require a special license for the sale or offering for sale of any restricted use pesticides; to create and establish a Pesticide Advisory Committee to perform certain duties in connection with the administration of this Act; and to provide for the administration and enforcement of this Act by the Commissioner of Agriculture and Industries with exemption provisions; authorizing the adoption of rules and regulations to carry out the purpose of this Act; to provide enforcement and penalty provisions for violations of this Act, and to repeal conflicting laws.

Also:

By Messrs. Smith (P), Bassett, Connell, Turnham and Lyons:

H. 1851. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment; to require persons engaging in such work for compensation to be licensed by the Commissioner of Agriculture and Industries, fixing the license fees and prescribing other requirements for persons engaging in such work including the filing of a bond or a liability insurance policy; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act, prescribing his duties and authority, and to authorize the adoption of rules and regulations in connection therewith together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement provisions and penalties for violations of this Act.

Also:

By Messrs. Merrill, Burgess and Stewart:

H. 12. To provide a state scholarship program to promote the education of nurses at the Lurleen B. Wallace School of Nursing, Jacksonville State University; and making appropriations therefor.

Also:

By Messrs. Roberts, Collins, Stokes, Downing, Nettles, Mims, Warren, Stewart, Callahan, Cauthen, Wood, Lyons, Perloff, Agee, Therrell, King and Hobbie:

H. 398. To provide a state scholarship program to promote the education of nurses at the School of Nursing, University of South Alabama; and making appropriations therefor.

Also:

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 108. To provide a state scholarship program to promote the education of nurses at the Division of Nursing, University of Alabama, Huntsville, Alabama; and making appropriations therefor.

Also:

By Messrs. Smith (P) and McCluskey:

H. 364. To provide a state scholarship program to promote the education of nurses at the Sylacauga Nurses Training School, Sylacauga, Alabama; and making appropriations therefor.

Also:

By Messrs. Ellis, Jones (F), McBride, Turnham, Wallace, Weeks, Casey, Wynot, Waldrop, Coshatt, Goodwin, Carnes, Snell, Smith (P), Edwards, McCluskey, Gray (F), Reed (T), McDonald, St. John, Naramore, Bank, Parker (T), Erdreich, Barkett, Turner, Boutwell, Falkenburg, Drake, Fite, Merrill, Lang, Cottingham, Owens, Lutz, Chesnut, Hale, Carter, Flippo, Reid (R), Grey (D), Crawford, Connell, Easters, Jackson, Benton, May, Kinsey, Adams, Brassell, Straiton, Callahan, Warren, Therrell, Perloff, Mims, Bassett, Wise, Downing, Roberts, Cherner, Adwell, Lyons, Headley, Stewart, Stubbs and Crowe:

H. 80. Relating to education; providing for The Drug Abuse Education Act of 1971; establishing a program of drug, narcotic, alcohol and tobacco education; providing for the administration and regulation of such program; and providing an appropriation therefor.

Also:

By Messrs. McDonald, Lyons, Turnham and McBride:

H. 1224. To amend the title and Sections 1, 2, 3, 4, 5, 6, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969-1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 548. Proposing an amendment to the Constitution of Alabama providing for the registration of electors by mail.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 549. Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 894 and 1851. To the Committee on Agriculture.

H. B.'s 12, 398, 108, 364 and 80. To the Committee on Finance and Taxation.

H. B. 1224. To the Committee on Education.

H. B.'s 548 and 549. To the Committee on Constitution and Elections.

(The above numbered Bill, H. B. 548 was read a first time at length as required by the Constitution.)

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Carnes, Waldrop and Wynot:

H. 778. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; to prohibit employers from requiring or requesting any employee or applicant for employment to waive his right to have his juvenile court record withheld from public inspection, as such right is accorded by Section 353, Title 13, Code of Alabama 1940; pro-

Also:

By Mr. O'Daniel:

H. 1007. To amend Section 1 of Act No. 81, H. 76, Special Session 1967 (Acts 1967, p. 114), which authorizes the district attorney of the nineteenth judicial circuit to appoint a secretary and provide for compensation thereof.

Also:

By Mr. Williams:

H. 1382. Relating to counties having a population of not less than 38,100, nor more than 40,500 according to the last, or any subsequent federal decennial census, which are levying a franchise, excise or privilege license tax, under the provisions of Act No. 34, 1969, Special Session of the Alabama Legislature, allowing the county governing body to pay certain expenses for the county superintendent, and providing that such provision shall not be mandatory.

Also:

By Mr. Casey:

H. 1502. To apply in counties having populations of not less than 17,000 nor more than 20,000 according to the most recent federal decennial census; to legalize racoon hunting in such counties with shotgun and number eight shot; and to prescribe penalties.

Also:

By Messrs. Cross and Carter:

H. 1570. Relating to counties having a population not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to provide for the payment to the members of the Board of Equalization of such counties an amount in addition to the present compensation under state law that will equal \$15 per day for the days they attend meetings of the board.

Also:

By Messrs. Cross and Carter:

H. 1571. Relating to counties having a population of not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to provide further that all items exempt from statewide sales tax shall automatically be exempt from any county sales tax levied in counties to which this act applies.

Also:

By Messrs. Cauthen, Slate, Williams, Carter and Cross:

H. 1773. To amend the title and Section 1 of Act No. 807, H. 1290, Regular Session 1961 (Acts 1961, p. 1171) which provides for Airport Authority Boards in certain counties classified on a population basis.

Also:

By Mr. Casey:

H. 1798. Relating to all counties having populations of not less than 17,000 nor more than 20,000, according to the most recent federal decennial census; to fix the salary of the county solicitor and to prescribe the method of payment of such salary.

Also:

By Mr. May:

H. 1847. Relating to counties having a population not less than 34,875 nor more than 36,000 according to the most recent federal decennial census; to provide for an increase in the bailiffs pay to \$10.00 per day in such counties.

Also:

By Mr. Casey:

H. 1930. Relating to the organization, jurisdiction and functions of certain courts of Cleburne County; establishing the Cleburne County Intermediate Court, defining and limiting its jurisdiction and powers; providing for its officers, their election, terms, powers, duties and compensation; providing for costs and fees to be deposited in the general fund of the county; and providing for appeals from the court herein established.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

#### STATE OF ALABAMA COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:



A BILL  
TO BE ENTITLED  
AN ACT

Relating to the organization, jurisdiction and functions of certain courts of Cleburne County; establishing the Cleburne County Intermediate Court, defining and limiting its jurisdiction and powers; providing for its officers, their election, terms, powers, duties and compensation; providing for costs and fees to be deposited in the general fund of the county; and providing for appeals from the court herein established.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in and for Cleburne County a court which shall be named and called the Cleburne County Intermediate Court. The court shall have and exercise final jurisdiction of all misdemeanors of which justices of the peace have final jurisdiction under the general law; and concurrent jurisdiction with all justices of the peace of the county in civil actions arising within the county, where the amount in controversy does not exceed \$100, and shall have and exercise all the jurisdiction and authority of justices of the peace in criminal and quasi-criminal cases, including bastardy and peace proceedings. The court created herein shall have no jurisdiction of matters cognizant before a juvenile court. The court's jurisdiction shall be coextensive with the boundaries of the county.

Section 2. All the jurisdiction of justices of the peace and notaries ex officio justices of the peace in criminal and quasi-criminal cases heretofore granted to and conferred upon them by law as to Cleburne County, is hereby revoked. Any such case pending in the court of any justice of the peace of Cleburne County when this act becomes effective may be transferred to the Cleburne County Intermediate Court, herein established for further prosecution. Any case so transferred shall be proceeded upon as if originally instituted in such court.

Section 3. The Court hereby created shall not draw or impanel juries. Any defendant desiring a jury trial may within five days after service on him of the warrant of arrest demand a jury trial, and thereupon the case shall be immediately transferred to the circuit court of Cleburne County in the same manner prescribed in Code of Alabama 1940, Title 13, Section 424, for the transfer of cases from the court of a justice of the peace to the circuit court when a jury trial is demanded. Upon the transfer of any case to the circuit court of Cleburne County for trial by jury, the solicitor shall make, sign and file a brief statement of the cause of complaint in substantially the form prescribed in Code of Alabama, Title 15, Section 363, and the case shall then proceed to a jury trial in the circuit court, without any indictment or presentment by the grand jury.

Section 4. A judge of the court created by this act shall be elected by the qualified electors of the county at the general election in 1972, and every four years thereafter. He shall serve for a term of four years, commencing on the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. The judge of this court shall be a qualified elector of Cleburne County, and shall be not less than twenty-five years of age at the time of his election. Within thirty days after the effective date of this act, the Governor shall be authorized to appoint a qualified person to serve as judge of the court herein created until his successor is elected and qualified as herein provided.

Section 5. The judge of the court herein established, before performing any of the duties of office, shall take the oath of office prescribed by the constitution and laws of the State of Alabama for justices of the peace, and enter into bond with sureties in the sum of two thousand dollars (\$2,000) payable and conditioned as in the case of justices of the peace. The bond shall be approved by the judge of probate of Cleburne County, and both the oath and the bond shall be filed and recorded in the office of the probate judge. The judge of the court herein created shall be liable to the same pains and penalties that are now or may hereafter be imposed on justices of the peace.

Section 6. The Cleburne County Intermediate Court shall be open at all times for the disposition of the business of the court. It shall conform to and be governed by the rules of practice and procedure that are now or may hereafter be made applicable to justices of the peace of this State.

Section 7. The judge of the Cleburne County Intermediate Court shall receive a salary of \$400 a month paid out of the general fund of the county, upon warrants drawn by the judge of probate of Cleburne County.

Section 8. The judge of said court shall perform all duties of the justices of the peace in connection with the authority herein conferred upon him, including the keeping of records, filing reports and collection and deposit of funds.

Section 9. The judge of the Cleburne County Intermediate Court shall tax in each case in this court, as court costs, the same fees as are allowed in justice of the peace courts in similar cases. All costs and fees, as well as all fines and forfeitures, and penalties assessed or imposed in this court shall be paid in lawful money. On the first day of each month the judge shall file with the probate judge his report giving a full statement of all such funds collected since his last report, and the style of the case in which the same were collected. The funds so reported shall be paid by the judge of this court to the treasurer or depository of the county who shall place such funds in the general fund of the county. The probate judge is hereby authorized, and it shall be his duty, to draw his warrant against said fund for the payment of the salary of the judge of the court, and for all necessary expenses incident to the operation of the court.

Section 10. The sheriff and his deputies and the several constables of the county shall execute the processes of the court herein established. For their services they shall receive the fees, commissions and allowances allowable in justice of the peace courts which shall be taxed and collected as in justice of the peace courts. Witnesses in this court shall be entitled to the same fees as allowed and collected in the same manner as in justice of the peace courts.

Section 11. Appeals from judgments of convictions in the court herein established shall be taken to the circuit court of Cleburne County as appeals are now taken to said court from the court of any mayor, recorder, justice of the peace, or notary public ex-officio justice of the peace in Cleburne County.

Section 12. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. All laws or parts of laws which conflict with this act are repealed.

Section 14. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack R. Wood, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

JACK R. WOOD.

Sworn to and subscribed before me July 27, 1971.

J. LEBUS CASEY,  
Notary Public.

Also:

By Messrs. Cross and Carter:

H. 1969. To repeal Act No. 684, H. 942, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1510), entitled, "An Act Relating to counties having populations of not less than 22,500 nor more than 24,550 according to the most recent federal decennial census, whose roads and bridges are constructed, maintained and repaired by the state highway department; forbidding the judge of probate of any such county to remit to the state highway department moneys collected by him from that part of the motor vehicle and trailer license taxes allocated to the county; to require such judges of probate to deposit such moneys in a special fund in the county treasury; and to prescribe the use thereof."

Also:

By Messrs. Gafford, Bowers, Jones (E), Cherner, Ellis, Timmons, Parker (H), Dill, Waggoner, Weeks, Boutwell, Adwell, Gloor, Boles, Doss, Erdreich, Falkenburg, Meeks, Wallace and McBride:

H. 363. To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of 500,000 or more, according to the last or any subsequent Federal census, general jurisdiction and authority, concurrent with that of the Circuit Courts, in Equity and Law, of this State in the administration of estates and for other and additional matters which the Probate Courts have original or general jurisdiction, in addition to those conferred by Act No. 633, page 1000, General Acts of the 1939 Regular Session; and to confer on the Judges of Probate Courts of such counties the same powers and authority which judges of the Circuit Court now have; to determine ownership of funds paid to the Probate Court as awards under Eminent Domain proceedings (Title 19, Section 27, Code of Alabama 1958 Recompiled), to determine the reinvestment of such funds of minors and Non Compos Mentis persons, and to determine the disposition of funds of a patient of the State Hospitals for Mental Pa-

tients which have been paid to the Judge of Probate; to provide for the pleading, practice and procedure in such matters, and for the assessment and collection of fees, commissions and costs of court for the performance of the duties authorized by this act.

Also:

By Messrs. Doss, Erdreich, Parker (H), Dill, Wallace, Timmons, Jones (E), Meeks, Boutwell, Gloor, McBride, Adwell, Waggoner, Weeks, Ellis, Cherner, and Boles:

H. 971. To amend Act No. 96, H. 490 of the Regular Session of 1965, which establishes an inferior court in Jefferson County to be known as the Civil Court of Jefferson County (Acts Regular Session of 1965, p. 131), so as to provide further for the service of the summons and processes of the court by authorizing such service by any of the constables or his duly authorized deputy, of Jefferson County; and for such purpose amending Sections 17 and 21 of said Act.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA  
JEFFERSON COUNTY**

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit: To amend Act No. 96, H. 490 of the Regular Session of 1965, which establishes an inferior court in Jefferson County to be known as the Civil Court of Jefferson County (Acts Regular Session of 1965, P. 131), so as to provide further for the service of the summons and processes of the court by authorizing such service by any of the constables of Jefferson County or his duly authorized deputy and for the taxing, collection and payment of fees for same; and for such purpose amending Section 17 and 21 of said Act.

**AFFIDAVIT OF PUBLICATION**

**STATE OF ALABAMA  
JEFFERSON COUNTY**

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review, which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 5, 12, 19, 26, 1971, a legal notice, a copy of which is hereto attached.

**ELEANOR O. ABERCROMBIE,**  
Publisher.

Sworn and subscribed to on this the 28th day of June, 1971.

**KAREN W. ABERCROMBIE,**  
Notary Public.

Also:

By Messrs. Erdreich, Timmons, Parker (H), Jones (E), Boutwell, Falkenburg and Doss:

H. 1029. Relating to counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; providing for the limited cancellation of sales agreements resulting from solicitation at the residence of the buyer, and providing procedures for and remedies of cancellation.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 778, 1007, 1382, 1502, 1570, 1571, 1773, 1798, 1847, 1930 and 1969. To the Committee on Local Legislation No. 1.

H. B.'s 363, 971 and 1029. To the Committee on Local Legislation No. 2.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crowe and Naramore:

H. 1874. Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bonds; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection.

Also:

By Messrs. Jackson and Wise:

H. 769. To amend the title and Sections 1 and 2 of Act No. 908, H. 1286, Regular Session 1969 (Acts 1969, p. 1636), which Act provides for changes in election precincts, regulation and use of voting machines, changes in boundary lines, use of paper ballots, election officials and compensation therefor, and duties of the judge of probate in certain counties classified on a population basis.

Also:

By Messrs. Jackson and Wise:

H. 770. To amend the title and Section 1 of Act No. 118, H. 194, Special Session 1966 (Acts 1966, p. 156), which Act provides for the hunting of female deer or unantlered male deer in certain counties classified on a population basis.

Also:

By Messrs. Jackson and Wise:

H. 771. To repeal Act No. 10, H. 14, approved October 29, 1965, Third Special Session (Acts of Alabama 1965, p. 214) entitled, "An Act Relating to counties having populations of not less than 35,500 nor more than 36,500 according to the most recent federal decennial census; to regulate further fishing gear which may be used in commercial fishing operations in the public waters of such counties."

Also:

By Messrs. Jackson and Wise:

H. 772. To repeal Act No. 84, H. 94, approved, February 9, 1956, Special Session 1956 (Acts of Alabama 1956, p. 125) entitled, "An Act To provide an optional plan by which any county governing body in all counties with a present or future population of 40,000 and less than 45,000 may establish two or more voting places within an election precinct, to direct the grouping of not more than 300 names of qualified registered voters within such precinct in alphabetical order and the assignment of such groups to a designated voting place; to require the publication of such group-lists and their respective assignments to voting places within said precinct; to provide that this law shall not apply to election precincts wherein voting machines are lawfully in use; to provide for the repeal of all laws in conflict herewith; and to provide when this Act shall become effective," and all acts amendatory thereto.

Also:

By Messrs. Jackson and Wise:

H. 773. To repeal Act No. 11, H. 15, approved, October 29, 1965, Third Special Session 1965 (Acts of Alabama 1965, p. 215) entitled, "An Act Relating to counties having populations of not less than 35,500 nor more than 36,500 according to the most recent federal decennial census; to regulate further fishing gear which may be used in commercial fishing operations in the public waters in such counties."

Also:

By Messrs. Hardin and Bassett:

H. 1127. To regulate the tenure of employment of county employees having over fifteen years' service in counties having populations of not less than 22,000 nor more than 22,500, creating a Civil Service Board of Appeals, regulating tenure of employment for such employees and prescribing the authority and qualifications, terms, duties and expenses of members of the board.

Also:

By Mr. Jackson:

H. 1230. To amend Act No. 45, H. B. 29, Special Session 1967, approved April 3, 1967, creating a court in Covington County designated as the "Covington County Alabama Intermediate Court."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COVINGTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Act No. 45, H. B. 29, Special Session 1967, approved April 3, 1967, creating a court in Covington County designated as the "Covington County, Alabama Intermediate Court."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 45, H. B. 29 Special Session 1967, approved April 3, 1967, an act creating the Covington County Intermediate Court, is hereby amended to read as follows:

Section 2. JURISDICTION. (a) Except as provided in Subsection (b) the Court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, and cases and all matters under Article 3 of Chapter 4, Title 34, Code of Alabama 1940 as last amended including paternity proceedings under the provisions of Title 27, Section 12 (1)-12(10) Code of Alabama, Recompiled 1958, and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved cognizable before the Circuit Court, or a county court, or the Juvenile Court or the Probate Court, or Justice of the Peace, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have the authority to punish contempts by fine not exceeding Fifty Dollars (\$50.00) and imprisonment not exceeding five (5) days. It may adopt and enforce rules and regulations relative to pleadings, procedure, and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and lawmade rules governing the practice and procedure of courts of record. In exercising jurisdiction in Juvenile court cases the provisions of Chapter 7 Title 13 of the Code of Alabama 1940 and amendments, shall apply. (b) The Court shall not have power to try persons charged with felonies. It shall not have jurisdiction of actions of ejectment or any civil action when the matter of sum in controversy exceeds \$1500.00. It shall have exclusive jurisdiction of all Civil matters where the amount in controversy does not exceed \$1500.00 and which is not herein above excluded. The Circuit Court of Covington County Alabama shall not have jurisdiction of any matter cognizable before this court, except upon appeal, as provided in Section II hereof. The Court herein created shall not take cognizance of any matter or proceeding in equity. (c) In actions for the recovery of personal property pledged, mortgaged, or otherwise aliened to secure the payment of a debt, the amount or sum in controversy shall be the amount due on the debt. (d) The Judge of the Court shall have and exercise preliminary jurisdiction in felony cases, and the Clerk and Clerk's deputy shall have power to take complaints and issue warrants in preliminary proceedings commenced in said court. Section 2. Section 8 of said Act No. 45 of the Special Session of 1967 is hereby amended so as to read as follows:

Section 8. COSTS. (a) For attendance upon the Court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the Circuit Court, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the Circuit Court.

(b) In addition to the fees for witnesses the Court shall have authority to tax costs and fees for the use of the officers of the county as follows: (1) In each civil action at law the same as in Circuit Court.

(2) In each criminal case the same as provided in Code of Alabama, Title II, Section 89 (2), as amended. (3) In every criminal case a solicitor's fee of \$5.00 shall be charged; except violation of any provisions of statutes contained in Title 8 or 36 of Code of Alabama 1940 as recompiled 1958; except herein otherwise provided.

(c) A trial tax of \$3.00 shall be collected for the use of the county in each civil action and criminal case. (d) No costs shall be taxed in juvenile cases. (e) The fees of the Clerk and of the Sheriff in criminal cases, if the State fails to convict or if the State fails to pay or where a nolle prosequi is ordered, or where the case is abated by the death of the defendant, or where an execution is returned "no property found" shall be paid out of the fine and forfeiture fund of the county. (f) All fines and forfeitures, except those required by law to be paid or remitted to the State Treasurer, or other state officer of department, shall be deposited by the Clerk in the fine and forfeiture fund of the county. The Clerk shall be entitled to commissions of five percent on all money remitted to the State or to the County. The Clerk shall retain his own fees and the fees of the Sheriff and witnesses and shall pay them to the parties entitled thereto. All other items of costs shall be deposited in the general fund of the county, unless otherwise provided by State law.

Section 3. Section II of said Act No. 45 of the special Session of 1967 is hereby amended so as to read as follows:

Section II. APPEALS. Any party aggrieved by a judgment rendered against him may appeal to the Circuit Court as herein provided. (1) If the case is a civil case the appeal is taken by giving written notice within fifteen days after rendition of the judgment and execution of a bond, with sufficient securities, for payment of costs in the case, in both the Intermediate Court and the Circuit Court. Upon giving such notice and bond for costs execution on the judgment is thereby stayed pending the appeal to the Circuit Court. Such appeals shall be governed, by Articles 6 of Chapter 8, Title 13, Code of Alabama, 1940, except as herein otherwise provided. (2) If the case arises under the jurisdiction of the Court with respect to juveniles, the appeal shall be governed by Chapter 7 of Title 13 of the Code of Alabama of 1940. (3) In every criminal case the appeal shall be governed by Section 349 of Title 13 of the Code of Alabama of 1940.

Section 4. Section 12 of said Act No. 45 of the Special Session of 1967 is hereby amended so as to read as follows:

Section 12. CLERKS. (a) The Clerk of the Circuit Court of Covington County Alabama shall be ex-officio clerk of the Court herein established. He shall have power to appoint not more than three deputy clerks and delegate to them such authority as may be necessary to carry out the provisions of this Act. The Clerk shall have authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the Court's business. He shall keep a seal which shall be the official seal adopted by the Court.

(b) It shall be the duty of the Clerk to keep all the records, files, and dockets of the Court in an orderly manner and to perform all other duties required by the Judge.

(c) The Clerk shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and



issue all processes issuing out of the Court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases and for taking affidavits and issuing warrants of arrest and signing commitments in criminal cases he shall be entitled to a fee of \$1.00; (3) to approve bonds in civil cases; (4) to enter all judgments, orders, and decrees of the Court; (5) to certify all appeals and transcripts; (6) to execute all powers and authority which are now or may hereafter be conferred on clerks in circuit courts.

(d) The Clerk shall attend the sessions of the Court in person or by Deputy.

Section 5. Section 13 of said Act No. 45 of the Special Session of 1967 is hereby amended so as to read as follows:

Section 13. The Sheriff shall attend the sessions of the Court in person or by Deputy, except in juvenile court proceedings where attendance shall be within the discretion of the judge. He shall execute all writs and processes of the Court, and perform such other duties as he may be required to perform in the Circuit Court. Section 6. Section 15 of the said Act No. 45 of the Special Session of 1967 is hereby amended so as to read as follows:

Section 15. TRANSFER OF CASES. (a) The presiding Judge of the Circuit Court of Covington County shall, on the effective date of this Act or as soon thereafter as is practicable transfer to the Court created herein (1) all civil cases pending in the Circuit Court in which the amount in controversy is less than \$1500.00 and such cases shall proceed as though begun therein (2) and all cases thereafter filed in the Circuit Court of Covington County in which the amount is controversy is less than \$1500.00, all cases pending in the Circuit Court against persons charged with a misdemeanor, and such cases shall proceed as though begun therein. After the effective date of this Act, every indictment returned by a grand jury of Covington County which charges a person with a misdemeanor shall be transferred immediately to the Court herein and all subsequent proceedings on the indictment shall be had therein. (b) The Probate Judge of Covington County shall, on the effective date of this Act or as soon thereafter as is practicable, transfer to the Court herein created all juvenile, criminal and quasi-criminal cases pending in the Probate Court of Covington County and such cases shall proceed as though begun therein.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COVINGTON COUNTY

Before me, the undersigned authority, personally appeared Robert D. Burgess, who, being duly sworn, deposes and says that he is the Editor of The Opp News, a newspaper of general circulation published at Opp in Covington County, Alabama; that said newspaper has been mailed under the second class mailing privileges of the United States Post office dated from the Post Office at Opp, Alabama, for 52 consecutive weeks and more prior to June 3, 1971, that the notice of Bill to be Entitled An Act attached hereto has been published in said news-

paper for four consecutive weeks in the weekly issues of said newspaper on the dates of June 3-10-17-24, 1971.

ROBERT D. BURGESS.

Sworn to and subscribed before me this 9th day of July, 1971.

TOMMIE SUE AMMONS,  
Notary Public,  
Covington County, Alabama.

Also:

By Messrs. Jackson and Wise:

H. 1515. To authorize and require the governing body of Covington County to pay annually to the Board of Education of Covington County a lump sum in lieu of providing office quarters and necessary furniture, office equipment, stationery, postage, forms, telephone service and supplies required by the County Superintendent of Education of said county and his assistants; and to authorize and require the County Board of Education to provide such office quarters and necessary furniture, office equipment, stationery, postage, forms, telephone service, supplies, heating and cooling equipment out of the public school funds of Covington County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize and require the governing body of Covington County to pay annually to the Board of Education of Covington County a lump sum in lieu of providing office quarters and necessary furniture, office equipment, stationery, postage, forms, telephone service and supplies required by the County Superintendent of Education of said county and his assistants; and to authorize and require the County Board of Education to provide such office quarters and necessary furniture, office equipment, stationery, postage, forms, telephone service, supplies, heating and cooling equipment out of the public school funds of Covington County.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Governing body of Covington County is hereby authorized and required to appropriate and pay annually from the general funds of the county, for a period of twenty years from the effective date of this ACT, to the Board of Education of Covington County, the sum of \$335.00 per month for a period of 12 months each year, such amount so appropriated and paid to become a part of the public school funds of Covington County; and said County Governing body is hereby relieved of the duty of providing office quarters and necessary furniture, office equipment, stationery, postage, forms, telephone service, and supplies required by the County Superintendent of said county and his assistants, in accordance with the provision of Title 52, Section 130, Code of Alabama 1940, except what furniture, office equipment, stationery, postage and forms which are already in possession of the Covington County Board of Education, for a period of twenty years, the lump sum herein authorized and required to be paid annually by the county governing body of Covington County to the Board of Education of Covington County, being in lieu of the requirement that said county governing body provide such items for

the County Superintendent of Education of said county and his assistants during the said twenty year period.

Section 2. The Board of Education of Covington County is hereby authorized and required to provide office quarters, necessary furniture, office equipment, stationery, postage, forms, telephone service, supplies and heating and cooling equipment required by the County Superintendent of Education of said county and his assistants and pay for the same out of the public school funds of Covington County.

Section 3. All laws and parts of laws in conflict herewith be and the same are hereby appealed.

Section 4. This Act shall take effect July 1, 1972 and shall expire September 30, 1992.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lucile McRae, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher-editor of the The Florala News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1971.

LUCILE McRAE.

Sworn to and subscribed before me July 15, 1971.

EDITH G. LURIE,  
Notary Public.

Also:

By Messrs. Jackson and Wise:

H. 1672. Relating to counties having populations of not less than 34,000 nor more than 34,800, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Also:

By Messrs. Jackson and Wise:

H. 1673. To authorize county boards of education in all counties having a population of not less than 34,000 nor more than 34,800, to appoint the superintendent of education for such counties.

Also:

By Messrs. Jackson and Wise:

H. 1674. Relating to counties having populations of not less than 34,000 nor more than 34,800; according to the most recent federal decennial census; providing for the payment or reimbursement by said counties to the members, including the chairman, of the county commission, of their actual expenses incurred in the performance of their duties outside the county, including expenses incurred by them in attending conventions of the National Association of County Commissioners and the Alabama Association of County Commissioners.

Also:

By Messrs. Jackson and Wise:

H. 1675. To authorize the Director of Conservation to open a season in counties having a population of not less than 34,000 nor more than 34,800, for the hunting of female deer or unantlered male deer.

Also:

By Mr. Jackson:

H. 1844. To amend the title and Section 1 of Act No. 370, H. 920, Acts of Alabama, 1969 Regular Session, (Acts of 1969, p. 739) which provided further for the compensation of certain bailiffs in certain counties classified on a population basis.

Also:

By Messrs. Wise and Jackson:

H. 1900. To provide for the selection of the Superintendent of Education of Geneva County, prescribing his qualifications, providing for his term of office, salary and powers and duties, and further providing for the filling of vacancies in the office.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for the selection of the Superintendent of Education of Geneva County, Prescribing his qualifications, providing for his term of office, salary and powers and duties, and further providing for the filling of vacancies in the office.

Be It Enacted by the Legislature of Alabama:

Section 1. The Superintendent of Education of Geneva County shall be elected by the qualified electors of Geneva County at the first general election held after the operative date of this Act and every four years thereafter. He shall hold office for a term of four years from the July 1 last succeeding his election and until his successor is elected and qualified. Upon the expiration of the term of the incumbent Superintendent of Education of Geneva County, the Board of Education of Geneva County shall appoint a qualified person to serve as Superintendent of Education of Geneva County until the beginning of the term of the first Superintendent of Education of Geneva County elected under the provisions of this Act.

Section 2. The Superintendent of Education of Geneva County shall possess all the qualifications prescribed for county superintendents of education by the general laws of the State; he must be a qualified elector of Geneva County; and he shall perform and discharge all the duties of County Superintendents of Education under the general laws of this State.

Section 3. The County superintendent of education shall devote his entire time to the public school business of Geneva County; his salary shall be fixed by the Board of Education of Geneva County at an amount not less than Twelve Thousand Dollars (\$12,000.00) nor more than Sixteen Thousand Dollars (\$16,000.00) per year; the salary for each four year term must be fixed for the term prior to the election of the Superintendent of Education as herein provided.

Section 4. In addition to the salary authorized by this Act, the County Board of Education of Geneva County is empowered to fix, approve, and authorize the payment of traveling expenses not in excess of Eighteen Hundred Dollars (\$1,800.00) annually actually incurred by the County superintendent of education in the performance of his official duties within and without the County.

Section 5. If there be a vacancy in said office from any cause whatever, the County Board of Education of Geneva County is authorized to fill such vacancy as is provided by the general laws of this State.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. The provisions of this act are severable. If any part of this Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, June 24, July 1, and July 8, all in the year 1971.

ORSEN B. SPIVEY.

Sworn to and subscribed before me July 21, 1971.

O. T. SPIVEY,  
Notary Public.

Also:

By Mr. Coshatt:

H. 1901. Relating to all counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licenses of liquor in half-pint and miniature packages, the amount thereof dependent upon whether said sales occur within the police jurisdiction and outside the corporate limits of municipalities or outside the police jurisdiction of municipalities, no tax being imposed upon sales occur-

ring within corporate limits; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales to be made, and providing penalties for violations of this Act.

Also:

By Mr. Coshatt:

H. 1902. Relating to counties having a population of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to provide for a deputy coroner for said counties to be appointed by the coroner of said counties; the deputy coroner to reside in the Northern Judicial Division of said counties if the coroner resides in the Southern Judicial Division of said counties or the deputy coroner must reside in the Southern Judicial Division of said counties if the coroner resides in the Northern Judicial Division of said counties; the deputy coroner is to be paid \$100.00 for each month said deputy coroner serves and a mileage allowance of 10¢ per mile.

Also:

By Mr. Coshatt:

H. 1903. Relating to counties having a population of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to provide for a mileage allowance of 10¢ per mile for the coroner of such counties to which this Act applies.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1874, 769, 770, 771, 772, 773, 1127, 1230, 1515, 1672, 1673, 1674, 1675, 1844, 1900, 1901, 1902 and 1903. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Parker (H), Jones (E), and Timmons:

H. 1084. To amend Sections 1, 3, 6 and 7 of Act Number 453 of the 1967 Regular Session of the Legislature of Alabama (1967 Acts of Alabama, Page 1129, et seq.), entitled "An Act to create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent federal census a pension and relief fund for officers and employees of the library board of such city, and for the widows and dependents of such officers and employees, to provide for a custodian of such fund, and to provide for the investment, protection, management and distribution of such fund by a board of managers created for such purpose."

Also:

By Messrs. Parker (H), Jones (E), and Timmons:

H. 1087. To amend the Title and Section 1 of Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Acts of Alabama of 1959, page 1376, et seq) which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief or Retirement and Relief System established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq) as amended, and on whose account or for whose benefit the city by whom they are employed makes no contribution or pays no tax to the United States of America under the Federal Social Security Act.

Also:

By Messrs. Parker (H), Jones (E), and Timmons:

H. 1088. To amend Section 4 of Act No. 100 of the 1964 1st Special Session of the Legislature of Alabama (Acts of Alabama, 1st and 2nd Special Sessions 1964, page 157) entitled "An Act to apply in and only in each city in this state having a population of 300,000 or more, according to the last or any subsequent decennial federal census; to provide for the creation of the office of City Magistrate and the appointment of City Magistrates; to define the qualifications, powers and duties of City Magistrates; and to provide for search warrants and warrants of arrest."

Also:

By Messrs. Erdreich, Falkenburg, Timmons and Parker (H):

H. 1216. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the further power to levy and collect each year an additional tax of one-half of one per centum based upon the value of the property therein as fixed for state taxation, such additional tax to be levied only when authorized by the qualified electors of said City at an election called for such purpose, the adoption of such amendment not to affect, limit, modify, abridge, or impair the power of such City to levy and collect any special school taxes now vested or hereafter conferred upon it under the Constitution, or any amendment thereto.

Also:

By Messrs. Bowers, Timmons, Adwell, Meeks, Boutwell, Ellis, Weeks, Dill, Erdreich, Falkenburg, Jones (E), Parker (H), Doss, Wallace and Gafford:

H. 1406. To propose an Amendment of Amendment CCXXXIX of the Constitution of Alabama of 1901, providing for the creation of fire protection or garbage and trash disposal districts in Jefferson County.

Also:

By Messrs. Bowers, Timmons, Adwell, Meeks, Boutwell, Ellis, Weeks, Dill, Erdreich, Falkenburg, Jones (E), Doss, Parker (H), Wallace and Gafford:

H. 1407. To authorize any fire district in Jefferson County, Alabama, created under Act No. 79 of the Special Session of the Legis-

lature of Alabama of 1966 (Ala. Acts, Special Session 1966, p. 106 et seq.), hereinafter called "Fire District", and any municipality to enter into contracts providing for either party, or both parties, to any such contract to make its fire equipment, or facilities, and its services, in preventing or fighting fires, available to the other party; to authorize any district to enter into a contract with any person providing for the district to make its facilities, or equipment, and its services available to such person or such person's property; and to provide that in executing or performing any contract provided for by this act the district shall be engaged in a governmental function, and that governmental immunity from liability shall apply.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN THAT AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1971 APPLICATION WILL BE MADE FOR THE ENACTMENT OF A LAW, HEREIN CALLED "THE LAW," SUMMARIZED BELOW.

The law would authorize any fire district in Jefferson County, Alabama, created under Act No. 79 of the Special Session of the Legislature of Alabama of 1966 (Ala. Acts, Special Session 1966, p. 106 et seq.), herein called "the district," and any municipality, to enter into contracts providing for either party to the contract to make its fire equipment, facilities or services, for preventing or fighting fires, available to the other party. The law would authorize any district to enter into a contract with any person providing for the district to make its equipment, facilities or services available to such person or such person's property. The law will provide that, in respect to such contracts, the district will be engaged in a governmental function.

#### AFFIDAVIT OF PUBLICATION

##### STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 12, 19, 26, and July 3, 1971, a legal notice a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 6th day of July, 1971.

KAREN W. ABERCROMBIE,  
Notary Public.

Also:

By Messrs. Bowers, Timmons, Adwell, Meeks, Boutwell, Ellis, Weeks, Dill, Erdreich, Falkenburg, Jones (E), Doss, Parker (H), Wallace and Gafford:

H. 1408. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, providing



in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN THAT AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1971 APPLICATION WILL BE MADE FOR THE ENACTMENT OF A LAW, HEREIN CALLED "THE AMENDATORY ACT," AMENDING IN THE RESPECTS STATED BELOW ACT NO. 79 OF THE SPECIAL SESSION OF THE LEGISLATURE OF ALABAMA OF 1966, APPROVED AUGUST 17, 1966 (ALA. ACTS, SPECIAL SESSION OF 1966, P. 106 ET SEQ.), HEREIN CALLED "ACT 79," PROVIDING IN JEFFERSON COUNTY FOR THE CREATION OF FIRE DISTRICTS AND GARBAGE DISTRICTS.

The amendatory act would amend Section 5 of Act 79 so as to prohibit two elections within any two year period on the creation of a district under Act 79, if the districts proposed in the two elections contain any of the same territory, with the prohibition not applying if the second election is at least one year after the first election and on a day whereon another election is held in the proposed district. The amendatory act would also amend Section 5 by prohibiting an election on abolition of a district within two years of its creation and by prohibiting more than one election on the abolition of a district within a period of two years.

The amendatory act would amend Section 13 of Act 79 so as to authorize the Board of Directors of a district to adopt service charge ordinances levying service charges, subject to the proviso that no such ordinance shall become effective until at least eight days have elapsed following the publication of the substance of the ordinance in a newspaper having general circulation in the district and until at least eight days have elapsed after such ordinance in full has been posted in each fire station in the district, or in some other public place in the district if there is no fire station therein. The amendatory act will further provide that such ordinance shall not become effective until it has been approved by qualified electors of the district at an election on the adoption of said ordinance, or until the time allowable for filing a petition for such election has expired with no petition for election being filed. The amendatory act would provide that the election on any such ordinance will be called upon the required number of qualified electors filing a petition for such election. The amendatory act would require the petition for such election to be signed by a number of qualified electors of the district not less than the smaller of these two numbers: three hundred (300) or a number equal to one-third (1/3) of the qualified electors residing in the district. The amendatory act would require the petition to be filed within 30 days of the newspaper publication of the ordinance.

The amendatory act would amend Section 14 of Act 79 so as to provide that when any portion of a district is annexed to a municipality, the district and the municipality shall be authorized to enter into a contract providing for the district to continue to furnish its services to the portion of the district annexed to the municipality. The amendatory act would further amend Section 14 of Act 79 so as to provide that the governing body of the county may enlarge a district without any election under the procedure prescribed in said Section 14. The amendatory act would provide the following procedure for enlargement of a district without an election: The Board of Trustees would file with the governing body of the county the following: (1) a certificate signed by at least two members of the Board of Trustees of the district recit-

ing that the said Board has found that it would be to the advantage of the district and the inhabitants of the proposed area that the proposed area be added to the district; (2) a petition for the enlargement of the district describing the proposed area signed by qualified electors of said area, requesting that the proposed area be included within the district; and (3) a statement signed by at least two members of the Board of Trustees reciting that those signing the petition constitute at least seventy percent (70%) of the qualified electors residing within the proposed area.

The amendatory act will provide that upon the Board of Trustees filing with the governing body of the county the certificate, the petition and the statement, the governing body will have a public hearing after the required notice of such hearing has been published in a newspaper of general circulation in the proposed area, and will provide that if the governing body is satisfied that at least seventy percent (70%) of the qualified electors residing within the proposed area signed the petition requesting that such area be included within the district the governing body shall enter an order that the proposed area be included within the district.

The amendatory act would amend Section 14 of Act 79 so as to authorize the governing body of the county to reduce the boundaries of a district on the petition of the Board of Trustees stating the reason for the petition reduction. The reduction could not be made until a public hearing before the governing body which can not be had until notice of such hearing has been published in a newspaper of general circulation in the district, such publication to be not less than 15 or more than 21 days before the hearing.

The amendatory act would amend Section 15 of Act 79 so as to provide that the number of qualified electors residing in a district required to sign a petition for an election on abolition of a district shall be the smaller of these two numbers: one hundred (100) or a number equal to ten percent (10%) of the qualified electors residing within the district.

The amendatory act will continue in force the provisions of Sections 5, 13, 14 and 15 which are not omitted, or changed, in order to accomplish the changes above stated.

#### AFFIDAVIT OF PUBLICATION

##### STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 12, 19, 26, and July 3, 1971, a legal notice a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 6th day of July, 1971.

KAREN W. ABERCROMBIE,  
Notary Public.

Also:

By Messrs. Gafford, Bowers, Parker (H), Doss, Falkenburg, Dill, Wallace, Erdreich, Weeks, Jones (E), Waggoner, McBride, Boutwell, Gloor, Boles, Timmons, Cherner, Meeks, Ellis and Adwell:

H. 1852. Relating to counties having populations of 600,000 or more; to require election officers to make an additional copy of the returns for each polling place at any state, county, municipal or local election and deliver it to the Probate Judge who shall preserve it as a public record for at least 1 year; making it a misdemeanor to fail to comply with the provisions of this Act.

Also:

By Messrs. Jones (F) and Taylor:

H. 1118. To provide further for the form of government of cities having populations of not less than 70,000 nor more than 135,000 according to the most recent federal decennial census; authorizing abandonment of the existing form of government and adoption of a mayor-council form of government, and describing the appointment, election, compensation, powers, duties, and authority of municipal officers and employees under such mayor-council form of government; providing for a referendum of the qualified electors to decide whether to adopt said new form of city government.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1084, 1087, 1088, 1216, 1406, 1407, 1408 and 1852. To the Committee on Local Legislation No. 2.

H. B. 1118. To the Committee on Local Legislation No. 1.

(The above numbered Bills, H. B.'s 1216 and 1406, were read a first time at length as required by the Constitution.)

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Grainger, Lutz, Hale, Hill, St. John, Waldrop, Coshatt, Hobbie, Stewart, Reid (R), Carnes, Crowe, Connell, Hearn, Culver, Falkenburg, Naramore, Parker (T), Boutwell, Doss, Flipppo, Drake, Robertson, Barkett, Casey, Burgess, Williams and Bank:

H. 799. To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 574, Regular Session, 1965, as amended.

Also:

By Messrs. Waggoner, McDonald, Doss, Adwell, McBride and Kinsey:

H. 495. To amend Section 133 of Title 5, Code of Alabama, 1940, relating to banks and banking; requiring banks to remit at par.

Also:

By Mr. Cherner:

H. 790. Authorizing a special referendum to determine the classification of counties as wet or dry counties, which would provide a series of special rules governing the sale of alcoholic beverages in wet counties in addition to those provided in the general law.

Also:

By Messrs. McCorquodale, Adams, Snell, Smith (K) and Lyons:

H. 1981. To reapportion the Senate of Alabama; prescribing senatorial districts; the method and date for the election of senators as provided herein; and repealing all conflicting laws.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 799. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 495. To the Committee on Banking.

H. B. 790. To the Committee on Finance and Taxation.

H. B. 1981. To the Committee on Constitution and Elections.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Ellis, Owens and Cauthen:

H. 90. To provide for a driver license, a chauffeur license, a motorcycle license, and to prescribe the manner of test therefor, and to authorize the Director of Public Safety to issue said licenses.

Also:

By Messrs. Bowers, Weeks, Stubbs, Barkett, Jones (E) and Waggoner:

H. 1985. To amend Subsection L of Section 214, Title 26, Chapter 4, Code of Alabama 1940, as last amended by Act No. 88, 1971 Regular Session of the Alabama Legislature, relating to denial or reduction of unemployment compensation benefits for receipt of training allowances.

Also:

By Messrs. Stewart, King, Flippo, St. John, Lutz, Grainger, Barkett, Hill, Wynot, Ellis, Nettles, Roberts and Taylor:

H. 639. Proposing an amendment to the Constitution relating to taxation and debt limitation.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 90 and 639. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1985. To the Committee on Business and Labor.

(The above numbered Bill, H. B. 639, was read a first time at length as required by the Constitution.)

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. St. John and Drake:

H. 220. To amend Act No. 1122, S. 408, Legislature of 1969, Regular Session, (Acts of Alabama, 1969 and 1970, Vol. III, P. 2077) which makes an appropriation to the Agricultural Center Board for agricultural fairs by amending Sections 11 and 13 of said Act relating to payments of special merit awards and the per diem and travel allowance of the special awards committee for fairs.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 220. To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hobbie, Jones (F), Taylor, Harris, Straiton and Waggoner:

H. 506. To amend further Section 1 of Act No. 47, Special Session 1961, (Acts 1961, p. 1904) as amended, which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to the Elks Memorial Center.

Also:

By Messrs. Hale, Hearn, King, Grainger and Lutz:

H. 656. To provide that it shall be a criminal offense to forge or counterfeit a drivers license and to provide the punishment for such offense.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 506. To the Committee on Finance and Taxation.

H. B. 656. To the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Baker and Chesnut:

H. 863. Relating to irrigation and water conservation; authorizing the state to provide financial assistance, to underwrite and to guarantee costs of a pilot irrigation and water conservation project and facilities related thereto; creating a state irrigation development trust fund; and providing for the use of such fund; prescribing the manner of repayment of any loans by the state made for the use of such project; and providing that any such project shall remain under the supervision and control of the state until all monies owed are repaid.

Also:

By Messrs. Baker and Chesnut:

H. 864. Proposing an amendment to Article IV, Section 93, as amended, of the Constitution of Alabama relative to providing irrigation and water conservation in the state.

Also:

By Mr. Smith (P):

H. 287. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 863 and 864. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 287. To the Committee on Finance and Taxation.

(The above numbered Bills, H. B.'s 864 and 287, were read a first time at length as required by the Constitution.)

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Drake:

H. 462. To prescribe a rule to apply in the circuit and inferior courts in all suits of a civil nature, at law or in equity, when a jury trial is not demanded and a plea in abatement based on improper venue has been filed.

Also:

By Messrs. Drake, Mathews and Merrill:

H. 284. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1972 and September 30, 1973, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

Also:

By Messrs. Cherner, Grainger, Hobbie, Jones (F), Hale, Smith (P), Gloor, Bank, Taylor, Gafford, St. John, Crowe, Adwell, Nettles, Cauthen, Barkett, Turner, McCluskey, Weeks, Callahan, Timmons, Parker (T), McBride, Waggoner, Jones (E) and Boles:

H. 494. Relating to certain schools, operating in this State; to require any person or other organization who operates such school or publicizes or offers for sale any course of study or course of instruction in this State to obtain a license from the State Department of Education for the operation of such school or the solicitation of students for such school; providing exceptions for the application of this act; providing for the issuance of permits by the Alabama State Board of Education; authorizing the Alabama State Board of Education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from decisions of the Alabama State Board of Education and providing penalties for violations.

Also:

By Messrs. Carter, Flippo, Bank, Cross, Waldrop, Manley, Chesnut, Crowe, Erdreich, Naramore, Ellis, Williams, and Lutz:

H. 1151. To better provide for the public health by providing that an assistant to a physician, and any trainee in training to become an assistant to a physician, can perform medical services when certain conditions are met; by providing for the approval and regulation of assistants to physicians; by providing for the approval and regulation of physicians to utilize assistants to physicians; by providing for the approval and regulation of programs for training assistants to physicians; enlarging the powers of the Board of Medical Examiners so

that they may promulgate rules and regulations for regulating assistants to physicians and the physicians who utilize them; prescribing penalties for violations of the provisions of this Act; authorizing the State Board of Medical Examiners to make any further provisions for carrying out the intent and purposes of this Act, and, for carrying out any other rules and regulations promulgated by the Board of Medical Examiners; providing for injunctive proceedings; restricting liability and responsibility for the acts or omissions of assistants to physicians to the licensed physician or physicians responsible for the control and direction of the activities of such assistants, and providing that no other person, firm, corporation or organization shall be liable or responsible for such activities; and to repeal all laws or part of law to the extent that they conflict with any of the provisions of this Act.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 462. To the Committee on Judiciary.

H. B. 284. To the Committee on Finance and Taxation.

H. B. 494. To the Committee on Education.

H. B. 1151. To the Committee on Health.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Crawford, Connell, Easters, Adams, Jackson, Mims, Agee, Brassell, Snell, Smith (K), Lyons and Barkett:

H. 1980. To reapportion the House of Representatives of the Legislature.

Also:

By Messrs. Lutz, Grainger, Hearn, Hale and King:

H. 807. To provide a form indictment to charge the crime of selling, transporting, delivering, offering to sell, bartering, furnishing or giving away marijuana.

Also:

By Messrs. Lutz, Grainger, Hearn, Hale and King:

H. 808. To establish a form indictment to charge the crime of illegal sale, delivery or other illegal disposition of depressant or stimulant drugs.

Also:

By Messrs. Lutz, Hearn, Hale, Grainger and King:

H. 809. To provide a form indictment to charge the crime of possession, transportation, delivery, sale, offering for sale, bartering, or



giving away any drug, compound, or narcotic, the possession, transportation, delivery, sale, offering for sale, bartering, or giving away of which is prohibited by Alabama law as prescribed by Code of Alabama, Title 22, Chapters 8, 8A, 8B, 9, 9A, 9B, 9C and 9D.

Also:

By Messrs. Lutz, Grainger, Hearn, Hale and King:

H. 806. To provide a form indictment to charge the crime of possession, transportation, delivery, sale, offering for sale, facilitating the sale of, bartering, or giving away any heroin.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 1980. To the Committee on Constitution and Elections.

H. B.'s 807, 808, 809 and 806. To the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 134. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, THAT when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 10, 1971.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Pelham, the Rules were suspended and the Resolution, H. J. R. 134, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 748. To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Carnes, Waldrop and Wynot:

H. J. R. 137. WHEREAS, E. N. Prater, founder and director of the Gadsden State Technical Trade School, has earnestly and tirelessly dedicated himself to the Gadsden State Technical Trade School since its inception; and

WHEREAS, Said E. N. Prater has demonstrated the highest ideals of leadership and utmost loyalty to his duties.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That as a fitting tribute to the said E. N. Prater, the Administration Building at Gadsden State Technical Trade School is hereby designated the E. N. Prater Building, and appropriate plaques shall be installed thereon.

BE IT FURTHER RESOLVED That copies of this resolution be sent to said E. N. Prater and his family.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 137, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Dill:

H. J. R. 119. DEMANDING PROPER OPERATION OF RAILROAD YARDS

WHEREAS Leo Bruce Brackin, of Sheffield Alabama, was recently killed and another person seriously injured by the ramming of an automobile by a railroad car, as a result of improper switching by supervisory personnel operating the yard because of a strike; and

WHEREAS Code of Alabama 1940, Title 48, Sections 179, 180, and 181 provide for the proper qualifications and examinations of switchmen and other railroad technicians, for the good of the general public; and

WHEREAS it is the responsibility of the Alabama Public Service Commission to oversee the proper and safe operation of all common carriers in this State; and

WHEREAS labor disputes notwithstanding, the safety of the general public must be the first concern of all persons, associations or corporations engaged in any operation dangerous to that public, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body hereby demands that the Alabama Public Service Commission invoke and enforce the Code provisions cited above, and require that only trained and qualified personnel operate yards and mainline operations where the lives of the general public are placed in jeopardy.

BE IT FURTHER RESOLVED, That this body is deeply disturbed by the blatant disregard of the law, and if compliance is not immediately forthcoming will take further legislative action to protect the public.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 119, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

### REPORTS OF COMMITTEES

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Straiton, et al:

H. 272. To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Parker (T) et al (with notice and proof):

H. 308. To regulate further the summoning of witnesses in Tuscaloosa County; to provide that witnesses may be subpoenaed by United States mail in Tuscaloosa County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

By Messrs. Merrill, Stuart, and Burgess (with notice and proof):

H. 891. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

By Messrs. Merrill, Stuart, and Burgess (with notice and proof):

H. 892. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

By Mr. Crowe:

H. 935. To amend the title and Section 1 of Act No. 101, H. 99, Regular Session 1967 (Acts 1967, p. 440), which authorizes the sheriff to issue permits for the movement of certain sized houses and objects in certain counties classified on a population basis.

By Mr. Crowe:

H. 949. To further amend the title and Section 1 of Act No. 681, S. 291, Regular Session 1965 (Acts 1965, p. 1243), which provides further for the payment and retirement of certain claims against the fine and forfeiture funds of certain counties classified on a population basis.

By Mr. Crowe:

H. 951. To amend further the title and Section 1 of Act No. 221, H. 140, approved August 8, 1955 (Acts 1955, p. 531), as last amended, which relates to the power, authority, and jurisdiction of courts pursuant to final judgment upon bail bonds or undertakings in certain counties classified on a population basis.

By Messrs. Adams and Brassell:

H. 1106. To amend the title and Section 1 of Act No. 50, H. 80, Special Session 1970 (Acts 1970, p. 2673), which provides for the salary of the chief deputy sheriff of certain counties classified on a population basis.

By Messrs. Adams and Brassell:

H. 1107. To amend the title and Section 1 of Act No. 495, S. 460, Regular Session 1963 (Acts 1963, p. 1060), which provides for the licensing and regulation of hunting on certain privately owned hunting preserves; prescribes fees for such licenses, collection and distribution thereof, and prescribes penalties for violations, in certain counties on a population basis.

By Messrs. Brassell and Adams:

H. 1108. To amend the title and Section 1 of Act No. 60, S. 125, Special Session 1964 (Acts 1964, p. 83), which provides for contingent funds and regulates the use thereof, in certain counties on a population basis.

By Messrs. Adams and Brassell:

H. 1109. To amend the title and Section 1 of Act No. 251, H. 701, Regular Session 1969 (Acts 1969, p. 583), which abolishes the public highway and traffic funds in the county treasuries and provides for the transfer of such monies to the general fund and for the deposit of certain other monies in such general fund, in certain counties classified on a population basis.

By Messrs. Brassell and Adams:

H. 1110. To amend the title and Section 1 of Act No. 119, H. 348, Regular Session 1967 (Acts 1967, p. 455), which regulates the use of voting machines where previously or subsequently authorized, estab-

lishes voting centers, provides for election officers at such centers, and prescribes the duties and fines the compensation for such officers in certain counties classified on a population basis.

By Messrs. Brassell and Adams:

H. 1111. To amend the title and Section 1 of Act No. 341, H. 804, Regular Session 1969 (Acts 1969, p. 713), which provides further for the compensation of certain bailiffs in certain counties classified on a population basis.

By Messrs. Adams and Brassell:

H. 1112. To amend the title and Section 1 of Act No. 503, H. 905, Regular Session 1961 (Acts 1961, p. 602), which regulates the compensation of deputy sheriffs in certain counties classified on a population basis.

By Messrs. Adams and Brassell:

H. 1113. To amend the title and Section 1 of Act No. 110, S. 331, Regular Session 1965 (Acts 1965, p. 171), which further regulates the number and compensation of sheriff's deputies, in certain counties on a population basis.

By Messrs. Brassell and Adams:

H. 1114. To amend the title and Section 1 of Act No. 335, H. 700, Regular Session 1969 (Acts 1969, p. 707), which provides further for expense allowances to the members and clerk of the governing bodies of certain counties classified on a population basis.

By Messrs. Brassell and Adams:

H. 1115. To amend the title and Section 1 of Act No. 252, H. 702, Regular Session 1969 (Acts 1969, p. 584), which further regulates the number and compensation of deputies and other employees of the sheriffs of certain counties classified on a population basis.

By Messrs. Adams and Brassell:

H. 1116. To amend the title and Section 1 of Act No. 336, H. 703, Regular Session 1969 (Acts 1969, p. 708), which provides an expense allowance for members of the governing body of certain cities classified on a population basis.

By Mr. Brassell:

H. 1355. To amend the title and Section 1 of Act No. 255, H. 766, Regular Session 1969 (Acts 1969, p. 587) which relates to the board of directors and compensation thereof of certain municipal corporations in certain municipalities classified on a population basis.

By Messrs. Cauthen and Slate (with notice and proof):

H. 1227. Relating to Morgan County; to provide further for the type of newspaper in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published in Morgan County.

By Messrs. Slate and Cauthen (with notice and proof):

H. 1228. Relating to Morgan County; fixing the fee for issuance of pistol permits by the Sheriff and providing for distribution and use of such fees.

By Mr. Stokes, et al (with notice and proof):

H. 1401. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Prichard in Mobile County, Alabama, by removing certain areas from the limits of the City of Prichard and adding same to the limits of the City of Chickasaw, and to describe the areas so removed from the City of Prichard and so added to the City of Chickasaw.

By Mr. Stokes, et al (with notice and proof):

H. 1402. To alter, rearrange and add to the limits of the City of Prichard in Mobile County, Alabama, and to alter and rearrange the limits of the City of Chickasaw in Mobile County, Alabama, by removing certain area from the limits of the City of Chickasaw and adding same to the limits of the City of Prichard, and to describe the area so removed from the City of Chickasaw and so added to the City of Prichard.

By Mr. Stokes, et al (with notice and proof):

H. 1403. To alter, extend and add to the limits of the City of Chickasaw in Mobile County, Alabama so as to include within the corporate limits of said city certain other territory in Mobile County, Alabama, contiguous to said city and to describe the area so added to the said limits of the City of Chickasaw.

By Messrs. Goodwin and Reynolds:

H. 1511. To fix for the first time since 1957 the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 48,500 nor more than 50,500, according to the most recent federal decennial census, to repeal conflicting laws, and to provide a referendum.

By Messrs. Connell and Crawford (with notice and proof):

H. 1513. Relating to Houston County; to provide for the compensation of the board of equalization and fix the number of days they shall meet each year.

By Messrs. Connell and Crawford (with notice and proof):

H. 1514. To regulate motor vehicles (automobile, trucks, etc.) parking on County property around the Houston County Courthouse, to set a time limit for motor vehicles to be parked, to authorize Houston County Sheriff to deputize the Houston County Maintenance Engineer for the enforcement of this Act.

By Messrs. Connell and Crawford (with notice and proof):

H. 1521. To provide for the salary of the Sheriff of Houston County and the payment of the expenses of operating his office.

By Messrs. Connell and Crawford (with notice and proof):

H. 1522. To provide for meetings of the board of registrars of Houston County and for files of registered voters in said county.

By Messrs. Warren and Mims:

H. 1528. To repeal Act No. 234, H. 223, approved August 15, 1963, Regular Session 1963 (Acts 1963, p. 635), entitled, "An Act relating to counties having populations of not less than 17,400 nor more than 17,800 inhabitants according to the 1960 or any subsequent federal decennial census; authorizing the county boards of education in such counties to retire teachers who have attained the age of sixty-five."

By Messrs. Connell and Crawford (with notice and proof):

H. 1542. Relating to Houston County; to provide additional expense allowances for members of the County Board of Education in such county.

By Mr. Stokes, et al (with notice and proof):

H. 1569. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

By Messrs. Cauthen and Slate:

H. 1687. To amend the Title and Section 1 of Act No. 221, H. 734, approved August 9, 1965 (Acts of Alabama 1965 Regular Session, Volume I, p. 310), an act relating to counties in the state having a population of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

By Messrs. Cauthen and Slate:

H. 1688. To amend the Title and Section 1 of Act No. 597, H. 644, approved September 8, 1967 (Acts of Alabama 1967 Organizational Special Regular Sessions of Volume II, p. 1382), an act relating to regulating the compensation of jurors serving in certain courts in counties having populations of not less than 57,000 nor more than 61,000.

By Messrs. Slate and Cauthen:

H. 1689. To amend the Title and Section 1 of Act No. 414, H. 944, approved August 16, 1965 (Acts of Alabama 1965 Regular Session p. 603), an act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; requiring the county governing body to provide for the microfilming of records required to be recorded in the office of the judge of probate, the register, and circuit clerk.

By Messrs. Slate and Cauthen:

H. 1690. To amend the Title and Section 1 of Act No. 668, S. 787, approved August 29, 1969 (Acts of Alabama 1969 Special and Regular Sessions, Volume II, p. 1203), an Act relating to compensation of members of county board of registrars in all counties having populations of not less than 57,000 nor more than 61,000.

By Messrs. Slate and Cauthen:

H. 1691. To amend the Title and Section I of Act No. 115, H. 191, approved August 19, 1966 (Acts of Alabama 1966 Special Session p.

147), an act relating to creating the office of commissioner of licenses in all counties having populations of not less than 57,000 nor more than 61,000.

By Messrs. Cauthen and Slate:

H. 1692. Relating to counties having a population of not less than 75,000 nor more than 90,000; to authorize the county commission to establish a contingent fund for the payment of certain equitable and just claims and other expenses.

By Messrs. Coshatt and Reid (R):

H. 1695. To provide additional compensation for the official court reporter of all judicial circuits having one judge and composed of two counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent federal decennial census.

By Messrs. Crowe and Naramore (with notice and proof):

H. 1698. Relating to Walker County; to provide an expense allowance to the Judge of the Inferior Court of said county.

By Messrs. Crowe and Naramore (with notice and proof):

H. 1699. Relating to Walker County; to impose a trial tax on all cases in the Inferior Court of the county.

By Messrs. Crowe and Naramore (with notice and proof):

H. 1700. Relating to Walker County, providing for the participation of certain county employees in the Employees' Retirement System of Alabama.

By Messrs. Reynolds and Goodwin:

H. 1703. To provide for an increase in the compensation of all court bailiffs, members of the jury commission, members of the board of registrars and members of the tax equalization board of all counties having a population of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census.

By Messrs. Crawford and Connell:

H. 1707. To amend the title and Sections 1 and 2 of Act No. 123, H. 130, Second Special Session 1963 (Acts 1963, p. 312), which authorizes the county commission to prescribe the times when county offices may be closed in certain counties classified on a population basis.

By Messrs. Crawford and Connell:

H. 1708. To amend the title and Section 1 of Act No. 182, H. 558, Regular Session 1963 (Acts 1963, p. 567), which provides for the compensation of county or deputy solicitors in certain counties classified on a population basis.

By Messrs. Crawford and Connell:

H. 1709. To amend the title and Section 1 of Act No. 130, H. 121, Special Session 1965 (Acts 1965, p. 183), which regulates the compensation of election officers in certain counties classified on a population basis.



By Mr. Crowe:

H. 924. To amend the title and Section 1 of Act No. 1188, H. 1414, Regular Session 1969 (Acts 1969, p. 2223), which provides for the reinstatement of driving privileges after suspension thereof in certain counties classified on a population basis.

By Messrs. Crawford and Connell:

H. 1710. To amend the title and Section 1 of Act No. 113, H. 254, Regular Session 1969 (Acts 1969, p. 392), which provides a county supplement to the per diem compensation of members of the county board of equalization in certain counties classified on a population basis.

By Messrs. Crawford and Connell:

H. 1711. To amend the title and Section 1 of Act No. 381, H. 939, Regular Session 1969 (Acts 1969, p. 751), which fixes the fee for issuance of a pistol permit by the sheriff; and provides for the distribution and use of such fees in certain counties classified on a population basis.

By Messrs. Crawford and Connell:

H. 1712. To amend the title and Section 1 of Act No. 114, H. 256, Regular Session 1969 (Acts 1969, p. 393), which authorizes the county commission to pay the salaries of clerks for the tax assessor and the tax collector in certain counties classified on a population basis.

By Messrs. Crawford and Connell:

H. 1713. To amend the title and Section 1 of Act No. 391, H. 987, Regular Session 1969 (Acts 1969, p. 766), which increases the compensation of members of boards of registrars in certain counties classified on a population basis.

By Messrs. Crawford and Connell:

H. 1714. To amend the title and Section 1 of Act No. 805, H. 1016, Regular Session 1969 (Acts 1969, p. 1449), which relates to additional compensation paid official court reporters in all circuits composed of two counties, having two circuit judges, and in which one county has a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census.

By Messrs. Crawford and Connell:

H. 1715. To amend the title and Section 1 of Act No. 392, H. 988, Regular Session 1969 (Acts 1969, p. 767), which increases the compensation of members of the jury commission in certain counties classified on a population basis.

By Messrs. Connell and Crawford (with notice and proof):

H. 1716. Relating to Houston County, directing the board of registrars to purge the list of registered voters, requiring and prescribing the procedure for the reidentification of registered voters; and providing a penalty for wilfully making a false statement in connection with reidentification.

By Messrs. Narramore and Crowe:

H. 1763. To provide for expense allowances for Tax Collectors in certain counties classified on a population basis.

By Messrs. Narramore and Crowe:

H. 1764. To provide for expense allowances for Probate Judges in certain counties classified on a population basis.

By Messrs. Narramore and Crowe:

H. 1765. To provide for expense allowances for tax assessors in certain counties classified on a population basis.

By Messrs. Brassell and Adams (with notice and proof):

H. 1770. To change the composition of the Board of Education of Phenix City, in Russell County.

By Messrs. Brassell and Adams (with notice and proof):

H. 1771. To amend Sections 1 and 2 of Act No. 17, H. 125, Regular Session 1947, which act created a hospital commission for Phenix City, in Russell County, by increasing the membership and authority of said commission.

By Messrs. Brassell and Adams (with notice and proof):

H. 1772. To provide for payment of fees of state witnesses in certain cases from the general funds of Russell County.

By Mr. Stokes, et al:

H. 1790. To provide for a retirement pension for certain salaried elected public officials of any County having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census, to set the eligibility requirements for such pension and the amount, including contributions to retirement fund, and method and source of payment thereof, and to require the approval by a majority of the voters in a county-wide referendum before the provisions of this Act become operative.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hammond:

S. 967. To levy an additional privilege or license tax on persons issuing or selling trading stamps to merchants and to provide for the distribution of the proceeds of the tax.

#### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 748. To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

JAMES S. CLARK,  
Chairman.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

## UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Resolution:

S. R. 65. Setting Special Orders.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 533. Amend Section 8 of Act No. 970, S. 378 on Page 1545, of the 1961 Acts of Alabama, Regular Session "to PROVIDE AN ADDITIONAL AND ALTERNATIVE method of assessing, paying taxes on and issuing license tags for motor vehicles in counties having a population of 300,000 or more according to the last or any subsequent federal census.

JOHN W. PEMBERTON,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing message from the House.

## RESOLUTIONS

Mr. Malone offered the following Senate Resolution, to-wit:

S. R. 69. BE IT RESOLVED BY THE SENATE OF ALABAMA, That pursuant to the provisions of Section 34, Title 13, Code of Alabama 1940, said Senate hereby respectfully requests the opinion of the Honorable Chief Justice and the Associate Justices of the Supreme Court of Alabama on the following important constitutional question:

"Does House Bill 1895, introduced at the 1971 Regular Session of the Legislature of Alabama, a copy of which said house bill is attached hereto, providing therein for arbitration of issues that can not be resolved by collective bargaining wherein the city of Gadsden is involved, including wages, rates of pay, and all other terms and conditions of employment, violate the provisions of Section 104 (18) of the Constitution of Alabama?"

On motion of Mr. Malone, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Cooper, Malone, Hawkins, Vacca, Clark, Givhan and Noonan offered the following Senate Joint Resolution, to-wit:

**S. J. R. 70. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, THE HOUSE AND SENATE CONCURRING, that**

**WHEREAS, Adequate health care is recognized as the right of all citizens in the State of Alabama, and**

**WHEREAS, There is always a need for innovative approaches to assure this right of adequate health care to all citizens, and**

**WHEREAS, The people's right to adequate health care has been brought to the forefront in the 1971 Regular Session of the Legislature by the introduction of House Bill 841 and Senate Bill 492, which proposes to re-align the State Committee on Public Health, and**

**WHEREAS, It is the belief of the Legislature of Alabama that before such bills are made law that every possible effort should be made to give thoughtful study and consideration to the intent of such bills, in order to further insure protection of the people's right to adequate health care, now therefore be it**

**RESOLVED, By the Legislature of Alabama, both Houses concurring, that there immediately be created a health study commission to consider and make recommendations to the Legislature on the best composition of the State Board of Health, and be it further**

**RESOLVED, That the commission shall be composed of ten qualified members chosen as follows: four duly licensed physicians chosen by the Medical Association of the State of Alabama; one dentist chosen by the Alabama Dental Association; one veterinarian chosen by the Alabama Veterinary Medical Association; one hospital administrator chosen by the Alabama Hospital Association; one pharmacist chosen by the Alabama Pharmaceutical Association; one member of the Health Committee of the House of Representatives chosen by the Speaker of the House; and one member of the Senate Health Committee chosen by the President of the Senate, and be it further**

**RESOLVED, That aforementioned committee report to the next Regular Session of the Legislature, making recommendations and reporting on the need for change, if any, on the State Committee on Public Health.**

which was read and referred to the Standing Committee on Rules.

#### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 364. To provide for the Alcoholic Beverage Control Board to issue liquor licenses to Civic Center Authorities established under Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, p. 797, et seq.); to regulate the issuance of such licenses; to provide the amount of the license tax, or fee, which shall be payable for such licenses; to provide that

such license shall authorize the Civic Center Authority holding the same to keep and sell in its Civic Center alcoholic, malt and vinous beverages, and to repeal laws or parts of laws in conflict with the provisions of this Act.

Also:

S. 365. To provide that this act shall apply to each county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving, or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area, to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to establish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either of the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama of 1940, as now or hereafter amended.

Also:

S. 433. To authorize all cities in the State of Alabama having a population exceeding 70,000 and not exceeding 135,000 inhabitants, according to the 1970 or any succeeding regular decennial federal census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees, including regular employees whose compensation is computed and paid on a per diem basis, and the regular employees of any board or commission, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities

enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this Act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four per centum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this Act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this Act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this Act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this Act.

Also:

S. 438. To amend Act No. 401, page 568 of the Acts of Alabama 1957 Regular Session by deleting therefrom the words "and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank" as said words appear in Section 1 of said Act No. 401 following the word "election" and preceding the word "and".

Also:

S. 435. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 70,000 and not more than 135,000 people, according to the 1970 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall con-

tinue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Also:

S. 515. To amend the title and Sections 1 and 2 of Act Number 481, H. 872, Regular Session 1961, as amended, pertaining to providing recreational facilities and services for cities.

Also:

S. 682. For the relief of Clyde Royal; authorizing the Montgomery County Commission to appropriate funds from the Gasoline Tax Fund for such purpose.

Also:

S. 437. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all counties of Alabama, having a population of not less than 150,000 nor more than 180,000 inhabitants according to the 1970 federal census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex-officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Five Thousand One Hundred and No/100 (\$5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex-officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Three Thousand and No/100 (\$3,000.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Also:

S. 749. Relating to counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census; providing for the distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Also:

S. 550. Providing that in all counties having a population of not less than 95,000 nor more than 115,000 the Commissioner of Licenses shall collect a fee for taking an affidavit or affidavits when issuing a commercial motor vehicle tag and when making a transfer of any motor vehicle tag.

Also:

S. 747. To provide for the Court Reporters salary in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

Also:

S. 436. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this state having a population exceeding 150,000 and not exceeding 180,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 635. To amend the title and Section 1 of Act No. 594, S. 716, Regular Session 1969 (Acts 1969, p. 1081) which fixes the per diem pay for members of the county board of equalization of certain counties classified on a population basis.

Also:

S. 636. To amend the title and Section 1 of Act No. 160, H. 54, Special Session 1961 (Acts 1961, p. 2108) which authorizes the county governing body to fix the compensation of deputy sheriffs in certain counties classified on a population basis.

Also:

S. 637. To amend the title and Section 1 of Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such funds, in certain counties classified on a population basis.

Also:

S. 638. To amend the title and Sections 1 and 3 of Act No. 1092, S. 907, Regular Session 1969 (Acts 1969, p. 2077) which provides for



the election and qualifications of members of the county governing body in certain counties classified on a population basis.

Also:

S. 639. To amend the title and Section 1 of Act No. 1006, S. 832, Regular Session 1969 (Acts 1969, p. 1880) which regulates the compensation of jurors in certain counties classified on a population basis.

Also:

S. 640. To amend the title and Section 1 of Act No. 190, S. 409, Regular Session 1969 (Acts 1969, p. 504) which increases the salary of the deputy solicitor of certain counties classified on a population basis.

Also:

S. 641. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87) which regulates the compensation of election officers in certain counties classified on a population basis.

Also:

S. 642. To amend the title and Section 1 of Act No. 13, H. 25, Third Special Session 1965 (Acts 1965, p. 217) which authorizes the county governing body to appropriate and use certain county funds and to designate and use certain county property in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, in certain counties classified on a population basis.

Also:

S. 643. To amend the title and Section 1 of Act No. 107, H. 381, Regular Session 1963 (Acts 1963, p. 488), which increases the pay of all employees of the county board of education in certain counties classified on a population basis.

Also:

S. 644. To amend the title and Section 1 of Act No. 95, H. 276, Regular Session 1963 (Acts 1963, p. 481), which regulates the compensation of the county superintendents of education in certain counties classified on a population basis.

Also:

S. 645. To amend the title and Section 1 of Act No. 67, H. 33, Special Session 1964 (Acts 1964, p. 88) which relates to closing the office of officials in the courthouse in certain counties classified on a population basis.

Also:

S. 646. To amend the title and Section 1 of Act No. 68, H. 34, Special Session 1964 (Acts 1964, p. 88) which provides further for the compensation of the coroner in certain counties classified on a population basis.

Also:

S. 647. To amend the title and Section 1 of Act No. 191, S. 71, Special Session 1969 (Acts 1969, p. 254) which regulates the compen-

sation and number of meetings of members of the boards of education of certain counties classified on a population basis.

JOHN W. PEMBERTON,  
Clerk.

#### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

#### MOTION TO ADJOURN LOST

At 8 o'clock P. M., Mr. Foshee moved that the Senate adjourn until Thursday, August 12, 1971, at 10 o'clock A. M.

Mr. Cooper moved as a substitute motion that the Senate adjourn until Wednesday, August 11, 1971, at 10 o'clock A. M., which motion was lost.

Yeas 2; Nays 17.

Yeas: Messrs. Cooper and Wilson —2

Nays:

Messrs.:	Givhan	Lybrand	O'Bannon
Clark	Hammond	McLain	Pelham
Fine	Harris	Malone	Register
Foshee	Horne	Noonan	Vacca
Gilmore	Lindsey		

—17

The question was then on the motion of Mr. Foshee that the Senate adjourn until Thursday, August 12, 1971, at 10 o'clock A. M., which motion was lost.

Yeas 14; Nays 15.

Yeas:

Messrs.:	Dominick	Gilmore	Pierce
Bailes	Dozier	Hawkins	Shelby
Carr	Edington	Jones	Vacca
Cook	Fine	King	

—14

Nays:

Messrs.:	Givhan	Lybrand	Noonan
Clark	Harris	McLain	Pelham
Cooper	Horne	Malone	Register
Foshee	Lindsey	Hammond	Wilson

—15

#### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

#### ADJOURNMENT

At 10:05 P. M., on motion of Mr. Bailes, pending further consideration of S. R. 65 and S. B. 59, the Senate adjourned until Wednesday, August 12, 1971, at 12:01 A. M.

Yeas 23; Nays 7.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Gilmore	King	Pierce	
Branyon	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dozier	Horne	Owen	Wilder	—23

Nays:

Messrs.:	Foshee	Lindsey	Malone	
Cooper	Harris	Littleton	Shelby	—7

## TWENTY-SIXTH LEGISLATIVE DAY

WEDNESDAY, AUGUST 11, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

### PRAYER

The Session was opened with prayer by Honorable Ollie Nabors, former Senator, Eighth Senatorial District.

### ROLL CALL

Present:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones	Owen		—34

### JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

### REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-fifth Legislative Day was approved by the Senate.

## LEAVES OF ABSENCE

On motion of Mr. Pelham, leave of absence was granted Mr. Cook for today.

## UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Resolution:

S. R. 65. Setting Special Orders.

## RESOLUTIONS

Mr. O'Bannon offered the following Senate Joint Resolution, to-wit:

S. J. R. 71. NAMING THE INFIRMARY AT FLORENCE STATE UNIVERSITY IN HONOR OF DR. THOMAS L. BENNETT

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the infirmary at Florence State University shall be known as the Thomas L. Bennett Infirmary, as a proper tribute to Dr. Thomas L. Bennett, who served as university physician from 1932 until 1968 with honor and devotion to the well-being of his fellowman.

On motion of Mr. O'Bannon, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. O'Bannon offered the following Senate Joint Resolution, to-wit:

S. J. R. 72. NAMING THE HEALTH, PHYSICAL EDUCATION, AND RECREATION BUILDING AT FLORENCE STATE UNIVERSITY IN HONOR OF HUBERT A. FLOWERS

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Health, Physical Education, and Recreation Building at Florence State University shall from this day forward be known as the Hubert A. Flowers Hall, in honor of Hubert A. Flowers who served with dedication and distinction as Chairman of the Department of Health, Physical Education, and Recreation of that institution from 1929 until his retirement in 1969.

On motion of Mr. O'Bannon, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. O'Bannon offered the following Senate Joint Resolution, to-wit:

S. J. R. 73. NAMING THE SCIENCE BUILDING AT FLORENCE STATE UNIVERSITY IN HONOR OF DR. HOMER H. FLOYD

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the science building at Florence State University be named and known as Homer H. Floyd Hall, as a fitting tribute to Dr. Homer H. Floyd who with distinction and devotion served as Chairman of the Science Department of that institution from 1927 until his retirement in 1962.

On motion of Mr. O'Bannon, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. O'Bannon offered the following Senate Joint Resolution, to-wit:

**S. J. R. 74. NAMING THE AUDITORIUM AT FLORENCE STATE UNIVERSITY IN HONOR OF DR. ETHELBERT B. NORTON**

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the auditorium, located in the Lurleen Burns Wallace Fine Arts Center, at Florence State University shall be known as the Ethelbert B. Norton Auditorium, in honor of Dr. Ethelbert B. Norton who since December 10, 1948 has served with dedication and inspirational leadership as president of that institution. Said auditorium shall be so named upon the retirement of Dr. Norton.

On motion of Mr. O'Bannon, the Rules were suspended and the Resolution was adopted by the Senate.

**MOTION TO ADJOURN LOST**

At 2 o'clock A. M., Mr. Shelby moved that the Senate take a recess until 12 o'clock Noon today, which motion was lost.

Yeas 1; Nays 19.

Yea: Mr. Shelby

—1

Nays:

Messrs.:	Horne	McLain	Pelham
Clark	Jones	Malone	Register
Foshee	Lindsey	Noonan	Weaver
Givhan	Littleton	O'Bannon	Wilder
Hammond	Lybrand	Owen	Wilson

—19

**FURTHER CONSIDERATION OF S. R. 65**

The Senate proceeded to further consideration of the Resolution, S. R. 65.

**RECESS**

At 2:06 A. M., on motion of Mr. Weaver, pending further consideration of S. R. 65, the Senate took a recess until 2 o'clock today.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

**INTRODUCTION OF BILLS**

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Cook:

S. 1082. To prohibit the possession of weapons, marijuana and drugs on the grounds or in the building of any public school or State supported institutions in Alabama; to provide a penalty for violations of the provisions of this Act; and to authorize teachers and certain other persons to search students or certain other persons for such forbidden items without a warrant under certain conditions.

Committee on Public Buildings and Grounds.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Coshatt, Bank, Wood, Carnes, Wynot, Smith (K), Crowe, Culver, Jackson, Connell, Smith (P), McCorquodale, Jones (F), O'Daniel, Cauthen, King, Reid (R), Gloor, Agee, Cottingham and Waldrop:

H. 305. Establishing, providing for appointment to and operation of Board of Radiologic Technologists Examiners; to provide for educational and training qualification standards for radiologic technologists; to provide for examination and licensing of and annulment or revocation of licenses of radiologic technologists; providing for the enforcement of this Act; providing for and prescribing penalties and fees.

Also:

By Messrs. Weeks and Bowers:

H. 856. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans preference therein provided to persons who have ever served honorably in the armed forces of the United States at any time, and under certain conditions to the wives and widows of persons who served honorably during this period.

Also:

By Mr. Agee:

H. 1039. To amend Section 4 of Act Number 205 1966, Special Session to provide actual and necessary expenses for members of the Board of Pharmacy while engaged in the performance of duties of the Board and to provide payment for relief pharmacist.

Also:

By Messrs. Cauthen, Hill, Lutz, King, Grainger, Owens and Taylor:

H. 664. To propose an amendment to the Constitution of Alabama to abolish justices of the peace.

Also:

By Messrs. Cauthen, Hill, Lutz, King, Grainger and Owens:

H. 665. To abolish the jurisdiction of justices of the peace and notaries public ex officio justices of the peace elected or appointed for any precinct in Alabama in criminal and quasi-criminal cases.

Also:

By Mr. Cauthen:

H. 825. To repeal Code of Alabama 1940, Title 11, Sections 96 and 97, both of which relate to fees of justices of the peace.

Also:

By Mr. Jones (F):

H. 169. Relating to Water Safety and other divisions of the Department of Conservation granting additional powers to the law enforcement personnel of said divisions.

Also:

By Messrs. Jones (F), Taylor, Hobbie, Harris, Wise, Benton, May, Bassett and Hardin:

H. 1153. To amend Section 1 of Act No. 999 of the Regular Session of the Legislature of Alabama, 1969, approved September 12, 1969 (Acts of Alabama 1969, p. 1855), which Act created a retirement system for peace officers as defined therein, so as to include enforcement officers of conservation laws within the provisions of said Act.

Also:

By Messrs. Jones (F) and Lyons:

H. 1244. To amend Section 16, Act No. 576, Acts of Alabama 1959, p. 1442, entitled "AN ACT Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act," as heretofore amended, so as to increase the boat registration fees of Classes I through V, and increase issuance fees on all certificates.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 305. To the Committee on Education.

H. B. 856. To the Committee on Military.

H. B. 1039. To the Committee on Health.

H. B.'s 664, 665 and 825. To the Committee on Judiciary.

H. B. 169. To the Committee on Commerce, Transportation and Common Carriers.

H. B.'s 1153 and 1244. To the Committee on Conservation.

(The above numbered bill, H. B. 664, was read a first time at length as required by the Constitution)

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turnham, Brassell and Adams:

H. 1956. To authorize the governing body of any county having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, and the governing bodies of the municipalities in any such county to establish jointly a parking and transit authority as a public corporation for the purpose of financing, acquiring, constructing, enlarging, equipping, improving, maintaining, developing, and operating facilities for parking motor vehicles, and acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating a public transit system, and related facilities including offices for any such authority, and leasing or letting such buildings, structures or facilities; to authorize such authority to issue bonds of indebtedness, enter into contracts, acquire and dispose of properties; to exercise powers, privileges and rights necessary, to provide that such bonds shall be negotiable instruments; and to provide for the dissolution of the authority and the disposition of its property.

Also:

By Messrs. Turnham, Brassell and Adams:

H. 1957. Relating to counties having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census; to authorize the county commission in such counties to appropriate \$604.57 out of the appropriate fund in the county treasury for the relief of Homer B. Dupree.

Also:

By Mr. O'Daniel:

H. 1963. Relating to counties having a population of not less than 30,000 nor more than 33,575, according to the most recent federal decennial census; to provide for the annual salary of jury commissioners of such counties to be \$800.00 per year.

Also:

By Mr. O'Daniel:

H. 1964. Relating to counties having a population of not less than 30,000 nor more than 33,575 according to the most recent federal decennial census; to provide for jurors pay in such counties to be \$15.00 per day.

Also:

By Messrs. Wise and Jackson:

H. 1965. To provide for the seizure and confiscation of property used in illegal night hunting of deer in counties having a population of not less than 21,000 nor more than 22,000.



Also:

By Messrs. Crowe and Naramore:

H. 1966. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent decennial census; to authorize the attorneys retained and paid by such county governing bodies to defend any county employee sued because of an alleged act of negligence which occurred within the line and scope of that employee's employment.

Also:

By Messrs. Chesnut and Baker:

H. 2031. Relating to counties having populations of not less than 15,400 nor more than 15,625, according to the most recent federal decennial census; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Also:

By Messrs. Chesnut and Baker:

H. 2032. Relating to counties having populations of not less than 15,400 nor more than 15,625; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Also:

By Mr. Fite:

H. 2038. Relating to Marion County; abolishing the Marion County Board of Revenue and creating the Marion County Commission for Marion County in lieu thereof.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Marion County; abolishing the Marion County Board of Revenue and creating the Marion County Commission for Marion County in lieu thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Marion County Board of Revenue is hereby abolished. The governing body of Marion County shall be the Marion County Commission. It shall be a Court of Record composed of five members. Said board shall elect one of their members as chairman and said chairman shall not vote except to break a tie. Said chairman shall receive the sum of \$50.00 per month in addition to the compensation provided for the members in Section 5 of this Act. The Marion County Commission is hereby invested with all the powers, duties,

jurisdiction and authority conferred by law on courts of county commissioners and Board of Revenue.

Section 2. For the purposes of this Act, Marion County is divided into five districts, which districts shall be designated by numbers and the places on the board shall be numbered to correspond to the numbers of the districts. District one shall comprise Precincts 5, 6, 10 and that part of Precinct 1, North of U. S. Highways 78 and 278; district two shall comprise Precincts 2, 3, 4, 17 and that part of Precinct 1, South of U. S. Highways 78 and 278; district three shall comprise Precincts 7, 8, 9 and 19; district four shall comprise Precincts 12, 13 and 14; and district five shall comprise Precincts 11, 15, 16 and 18.

Section 3. The original members of the Marion County Commission shall be as follows: District one, Almon Dyar, Route 2, Hamilton, Alabama; District two, Freeman Nixon, Route 4, Hamilton, Alabama; District three, Charles Tidwell, Bear Creek, Alabama; District four, Brady Baccus, Winfield, Alabama; and District five, Charley Burleson, Guin, Alabama.

Section 4. The successors to the members of the Marion County Commission as named above shall be elected at the general election in 1974 and every four years thereafter and they shall hold office for four years from the first Monday after the second Tuesday in January following their election, and until their successors are elected and qualified. Said members shall be nominated and elected by the electors of the respective districts. Every candidate for office shall designate in the announcement of his candidacy the number of the place for which he is a candidate and the ballot shall be numbered accordingly.

Section 5. Regular meetings of the Marion County Commission shall be held on the second and third Monday in each month; no session of the court shall continue longer than two days unless a longer session is necessary to prevent impeding the progress of a state audit. Each member of the Marion County Commission shall be paid a monthly salary of \$450.00 and a monthly expense allowance of \$275.00 which may be paid out of the gasoline funds, the road and bridge funds and/or the general funds of Marion County, or a combination of any of said funds.

Section 6. Four members of the Marion County Commission shall constitute a quorum for the transaction of business.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or part of laws in conflict with this Act are hereby expressly repealed and the provisions of Act No. 663, S 441, Local Acts of the Alabama Legislature of 1947 (1947 Local Acts, p. 403), is specifically repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. D. Smith, Jr., who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Editor of the Northwest Alabamian, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1971.

W. D. SMITH, JR.

Sworn to and subscribed before me July 30, 1971.

MILDRED GREGG,  
Notary Public.

Also:

By Mr. Crowe:

H. 2052. To amend Section 44 of Title 50 of the Code of Alabama of 1940, as heretofore amended, so as to eliminate the limitation on the rate of interest that may be borne by bonds of an improvement authority incorporated pursuant to the provisions of Chapter 3 of Title 50 of the Alabama Code of 1940, as amended.

Also:

By Messrs. Bassett and Hardin:

H. 2065. Relating to counties having a population of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census; to provide for jurors pay in said counties.

Also:

By Messrs. Reynolds and Goodwin:

H. 2086. Relating to counties having populations of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census: providing for additional meeting days of boards of equalization in such counties.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1956, 1957, 1963, 1964, 1965, 1966, 2031, 2032, 2038, 2065 and 2086. To the Committee on Local Legislation No. 1.

H. B. 2052. To the Committee on Commerce, Transportation and Common Carriers.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cherner, Dill and McBride:

H. 846. To regulate the handling, control, custody and disposition of all official or trust funds by clerks or deputy clerks or registers in chancery who also serve as deputy clerks of the circuit court in counties in this state having a population of 500,000 or more according to the last or any subsequent Federal census; to provide that the county commission or like governing body in such counties shall name the depositories to receive such funds, and may provide that any of such funds may be invested; to provide that such circuit clerks or deputy clerks or registers in chancery who also serve as deputy clerks shall be relieved from personal liability for any loss by reason of the failure of any depository designated by the aforesaid county commissions or like governing body; that such clerks or deputy clerks or registers in chancery who also serve as deputy clerks of the circuit court shall disburse such funds in accordance with the judgments, orders and decrees of any judge of the circuit court sitting in and for such counties; that any clerk or deputy clerk or register in chancery who also serves as deputy clerk of the circuit court who fails to comply with the provisions of this Act shall be guilty of wilful neglect of duty; that all laws or parts of laws, local, special or general, in conflict with this Act are hereby repealed.

Also:

By Messrs. Parker (H), Timmons and McBride:

H. 1086. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a policeman's pension system for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241, et seq.), as heretofore amended.

Also:

By Messrs. Waggoner, Boutwell, Falkenburg, Weeks, Dill, Wallace, Parker (H), Timmons, Adwell and Jones (E):

H. 1214. To provide for the compensation to be paid circuit district attorneys by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Also:

By Messrs. Falkenburg, Doss, Erdreich, Jones (E), Parker (H), Meeks, Dill, Adwell and Weeks:

H. 1261. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) establishing the "Criminal Court of Jefferson County," as heretofore amended.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN OF INTENTION TO APPLY AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1971 FOR THE ADOPTION OF AN ACT WHICH WILL BE AS FOLLOWS:

#### AN ACT

To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.)

establishing the "Criminal Court of Jefferson County," as heretofore amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 95, Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120, et seq.) is hereby amended to read as follows:

Section 2. That there is hereby created and established in and for Jefferson County, State of Alabama, an Inferior Court which shall be hereafter known as and called "Criminal Court of Jefferson County," which said court shall be hereinafter referred to as "this court." This court is hereby invested with and shall have and exercise in said county, except as hereafter provided, original and final jurisdiction of all misdemeanors committed in said county, provided, however, that the jurisdiction of the court created by this Act shall not extend over offenses arising in any of the following precincts of said County of Jefferson, to-wit: 1 and 2, and concurrent jurisdiction with the Circuit Court of said county in misdemeanor cases, the same as is now or as hereafter may be conferred by law on said Circuit Court, but shall try all persons charged with an offense without a jury provided, however, that the jurisdiction of said court to try cases shall not include those offenses triable in the Juvenile Court of said county; and said Criminal Court of Jefferson shall have preliminary jurisdiction in all felony cases committed in the County of Jefferson that is now or such as hereafter may be conferred by law upon the justices of the peace of said county or upon Inferior Courts created in lieu of justices of the peace of said county. Said court, except as in this Act otherwise provided, in exercising the jurisdiction and powers conferred by this Act in all cases wherein the defendant is charged with a felony, shall conform to and be governed by the rules of practice and procedure, and shall have the same power and authority, as is now conferred by law upon justices of the peace in this State, and, except as herein otherwise provided, in all cases wherein the defendant is charged with a misdemeanor, said court shall have the same power and authority and shall conform to and be governed by the rules of practice and procedure, evidence and punishment as govern circuit courts and courts of like jurisdiction in this State insofar as applicable, otherwise all the provisions of the statutes and laws, provided for the trial and procedure of criminal cases in the county courts in this State, shall govern and apply as far as applicable to this court, provided, however, that the presiding judge of this court shall have the authority to adopt such rules of practice and procedure as is not inconsistent with this Act as in his discretion is necessary for the proper dispatch of the business of the court. That no trial or prosecution shall be instituted in this court by indictment, but all trials or prosecutions instituted in said court shall be upon affidavit and warrant as prescribed by law for the institution of trials and prosecutions in the county courts of this State.

Section 2. Section 3 (b) of Act No. 95, Regular Session of the Legislature of Alabama of 1965, (Alabama Acts 1965, Page 120 et seq.) is hereby amended to read as follows:

Section 3. (b) If a judge of the Criminal Court of Jefferson County, Alabama, shall be unable to discharge the duties of his office by reason of illness, disqualification, annual vacation, or inability to hold court, or if a docket of said court shall become so congested as to render help temporarily necessary, the presiding judge of the Circuit Court shall appoint a licensed attorney, who shall be a resident of Jefferson County, Alabama, who shall perform all of the duties of said judge of this court during such illness, disqualification, annual vacation or inability of the judge or if a docket of said court shall be-

come so congested as to render help temporarily necessary. Such Special Judge shall receive the same compensation as the regular judge. The annual vacation of the judge shall not exceed thirty (30) days during any calendar year.

Section 3. Section 19 of Act No. 95, Regular Session of the Legislature of Alabama of 1965, (Alabama Acts 1965, Page 120, et seq), is hereby amended to read as follows:

Section 19. That after five (5) days from the rendition of a judgment in any cause, the said judgment shall be beyond the jurisdiction and out of the power of the court. Provided, however, that during the five (5) day period the court shall have the authority to pass the case to a further date and to continue to pass the case from time to time, and during said time the court shall maintain the power and authority to make such orders as were available to the court during the 5-day period immediately following the judgment.

Section 4. Section 23 of Act No. 95, Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120, et seq.) is hereby amended to read as follows:

Section 23. That, upon a conviction of any defendant in misdemeanor cases, in said court, the court shall have the right to suspend the sentence whenever in the discretion of said court the same may be advisable, under such terms and conditions and for such time as may be prescribed by said judge for the ends of justice.

(a) When a judge of the Criminal Court of Jefferson County imposes a fine or jail sentence or both, the court may direct as follows:

(1) that the defendant pay the entire amount of the fine at the time sentence is imposed; or

(2) that the defendant pay the fine in specified portions or installments at designated periodic intervals, and in such case may direct that the fine be paid to the clerk of the court, who shall report to the court in the event of any failure to comply with the order; or

(3) where the defendant is sentenced to serve in the Jefferson County Jail and said execution of said jail sentence is suspended, and in addition thereto a fine is imposed upon the defendant; that payment of the fine and court costs be a condition of the said suspension of the execution of said jail sentence; or

(4) where the payment of a fine and court costs are suspended, the judge may do so without being required to sentence the defendant to serve a hard labor sentence in lieu of the payment of the fine and court costs.

Section 5. Section 31 of Act. 95, Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) is hereby amended to read as follows:

Section 31. The presiding judge of said court may designate in writing by general order which shall continue until revoked by a general order of said order, clerks or deputy clerks or bailiffs as ex-officio judges of said court, and the ex-officio judges so designated shall have the same power and authority to take affidavits and issue warrants of arrest and search warrants that the judge of said court shall issue, but said ex-officio judges shall not try cases.

Section 6. That if any section, clause or provision of this Act shall be declared to be unconstitutional or held invalid, it shall not be held to affect or invalidate any other section, clause or provision but the same shall remain in full force and effect.

Section 7. That all laws and parts of laws, general, special, or local, in conflict with any of the provisions of this Act be and the same are hereby repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA

JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 12, 19, 26, and July 3, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 6th day of July, 1971.

KAREN W. ABERCROMBIE,  
Notary Public.

Also:

By Messrs. Falkenburg, Doss, Erdreich, Jones (E), Parker (H), Meeks, Dill, Adwell and Weeks:

H. 1262. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN OF INTENTION TO APPLY AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1971 FOR THE ADOPTION OF AN ACT WHICH WILL BE AS FOLLOWS:

#### A BILL TO BE ENTITLED AN ACT

To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) to

provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 95 adopted by the 1965 Regular Session of the Legislature of Alabama, (Alabama Acts 1965, Page 120 et seq.) is hereby amended by adding thereto the following Sections:

"Section 44. In all criminal cases in the Criminal Court of Jefferson County wherein the defendant is charged with a felony, a judge of this court shall before preliminary examination, in all the cases wherein a preliminary examination is to be held, ascertain from the accused, or otherwise: (a) whether or not the defendant has arranged to be represented by and have the assistance of counsel; (b) whether or not the defendant desires assistance of counsel; and (c) whether or not the defendant is able financially or otherwise to obtain the assistance of counsel."

"Section 45. If it appears to a judge of this court that a defendant is charged with a felony and does not expressly waive the right to assistance of counsel, and the defendant is not able financially or otherwise to obtain the assistance of counsel, the judge shall appoint counsel to represent and assist the defendant at the preliminary examination, and it shall be the duty of such counsel as an officer of the court and as a member of the Bar to represent and assist the said defendant."

"Section 46. Counsel appointed in such cases shall be entitled to receive for services rendered a fee of \$25.00 in each case.

Within a reasonable time after the close of the preliminary examination, or after any other disposition of the case, counsel shall submit to the judge of this court a bill for services rendered not to exceed the amount herein provided, and such bill, if approved by the Judge shall be submitted by the clerk of this court to the County Treasurer of Jefferson County, Alabama, and the County Treasurer shall pay said bill out of monies in the general fund of Jefferson County, Alabama."

"Section 47. In order to ascertain whether or not a defendant is in fact indigent as required by this Act, the judge may order the sheriff, the district attorney, or any parole or probation officer to investigate the fact of indigency and to file a report respecting said fact with the court."

Section 2. All laws or parts of law in conflict with the provisions of this Act are hereby repealed.

Section 3. In the event any section, sentence, clause or provision of this Act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses or provisions of this Act, which shall continue effective.

Section 4. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.



## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 12, 19, 26, and July 3, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 6th day of July, 1971.

KAREN W. ABERCROMBIE,  
Notary Public.

Also:

By Messrs. Parker (H), Falkenburg, Boutwell and Timmons:

H. 1389. Authorizing any municipality of the state having a population of 300,000 inhabitants or more according to the last or any subsequent federal census to declare noxious or dangerous weeds growing upon private property within such municipalities to be a public nuisance, and creating a lien upon the property where such nuisance exists for the cost of abating the same.

Also:

By Messrs. Parker (H), Falkenburg, Boutwell and Timmons:

H. 1390. To further amend Subsection (a) of Section 12 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951 page 1579, et seq) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children: to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

By Messrs. Bowers, Timmons, Adwell, Meeks, Boutwell, Ellis, Weeks, Dill, Edreich, Falkenburg, Jones (E), Doss, Parker (H), Wallace and Gafford:

H. 1405. To authorize the governing body of Jefferson County, Alabama, to adopt ordinances or a fire prevention code applying only to fire districts created under Act No. 79 of the Special Session of the Legislature of Alabama of 1966 (Ala. Acts, Special Session 1966, p. 106

et seq.); to provide that such ordinances or code may prescribe plans and specifications for buildings, designed to prevent the occurrence, or spread, of fires in buildings, or to minimize the damages caused by fires; to authorize the governing body of such county to prevent the use of any building in conflict with any such ordinance or fire prevention code; to authorize such governing body to employ inspectors to enforce such ordinances or fire prevention code and to charge inspection fees of the owners of the property inspected; to authorize such governing body to enter into a contract with any fire district, providing for the district to make such inspections and providing for the county to pay the district for such inspections; to provide that any person violating any such ordinance or fire prevention code shall be guilty of a misdemeanor and shall be punished as provided for by Section 327, Title 15, Code of Alabama of 1940; to repeal all laws, or parts of laws, in conflict with this act; and to provide when this act shall become effective.

With notice and proof thereto attached and herewith exhibited as follows:

**NOTICE IS HEREBY GIVEN THAT AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1971 APPLICATION WILL BE MADE FOR THE ENACTMENT OF A LAW, HEREIN CALLED "THE LAW," SUMMARIZED BELOW:**

The law will authorize the governing body of Jefferson County to adopt ordinances or a fire prevention code applying only to fire districts created under Act No. 79 of the Special Session of the Legislature of Alabama of 1966 (Ala. Acts, Special Session, 1966, p. 106 et seq.) as amended, and containing regulations, plans and specifications for buildings designed to prevent the occurrence or spread of fires in buildings. The law will authorize the governing body of such county to prevent the use of any building in conflict with any such ordinance or fire prevention code and to employ inspectors to enforce such ordinance or code and to charge inspection fees of the owners of property inspected. The law will authorize the governing body to enter into a contract with any fire district, providing for the district to make such inspection and for the county to pay the district for such inspection. The law will provide that any person violating any such ordinance or code shall be guilty of a misdemeanor and punished as provided by Section 327, Title 15, Code of Alabama of 1940.

#### **AFFIDAVIT OF PUBLICATION**

**STATE OF ALABAMA  
JEFFERSON COUNTY**

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 12, 19, 26, and July 3, 1971, a legal notice, a copy of which is hereto attached.

**ELEANOR O. ABERCROMBIE,**  
Publisher.

Sworn and subscribed to on this the 6th day of July, 1971.

**KAREN W. ABERCROMBIE,**  
Notary Public.

Also:

By Messrs. Falkenburg, Doss, Parker (H), Ellis, Boutwell, Dill and Weeks:

H. 1519. To create and establish a court in Jefferson County with limited jurisdiction with the Circuit Court for the limited purpose of disposing of non-capital felony criminal cases on an information, before indictment, under Title 15, Article 8 of Chapter 11 of the Code of Alabama of 1940 as recompiled in 1958, and to act on matters pertaining to probation in such cases; to provide for the officers of such court and to fix their duties.

Also:

By Messrs. Bowers, Falkenburg, Erdreich, Parker (H), Weeks, Doss, McBride, Dill, Gafford, Timmons, Meeks and Waggoner:

H. 1525. To provide that when any vacancy occurs on the governing body of any county of this State having a population of 500,000, or more, according to the last or any subsequent Federal census, a special election shall be held under the provisions of Chapter 19, Title 17, Code of Alabama of 1940, subject to the changes in the provisions of said Chapter 19, as are provided for by this Act.

Also:

By Messrs. Adwell, Timmons, Gafford, Weeks, Doss, Bowers, Meeks, Boles, Parker (H), Jones (E), Ellis and Waggoner:

H. 1541. To apply to every city of this State having a population of 300,000 or more, according to the last or any subsequent federal census, and to each pension system established by any law of this State, heretofore or hereafter adopted, for either firemen or policemen of such city, providing such pension system has been, or shall have been, for a period of 25 consecutive years closed within the meaning of this Act; to provide that a firemen's pension system is a closed pension system within the meaning of this Act when the law governing such system provides that no person entering the employment of the Fire Department of such city after a date specified in said law shall become, or be, a member of such firemen's pension system; to provide that a policemen's pension system is a closed system within the meaning of this Act when the law governing such system provides that no person entering the employment of the Police Department of such city after a date specified in said law shall become, or be, a member of such policemen's pension system; to provide that any retirement benefit, disability benefit or widow's benefit or other benefit paid to a member of the system shall be called "a benefit" and that any person receiving a benefit shall be called "the beneficiary"; to prescribe for any beneficiary, or beneficiaries, to enter into a contract, or contracts, with an attorney, or attorneys, whereby the beneficiary or beneficiaries, employ the attorney, or attorneys, to perform legal services in endeavoring to secure an increase in benefits for the beneficiary or beneficiaries; to provide that any such contract of employment may contain a provision for the city to deduct the attorney's fee provided for in the contract of employment, from any increase in benefits sought by the attorney, or attorneys, and actually obtained for the beneficiary, or beneficiaries, which last mentioned provision is called in this Title, and in this Act, "The Deduction Provision"; to provide that when the contract of employment contains a deduction provision, the disbursing officer, for the pension system or the city, shall deduct from any increase in benefits the attorney's fee in accordance with the provisions of the deduction provision and shall pay such fee to the attorney entitled to the same, or to the attorney's ap-

pointee: to provide that any beneficiary of the pension system can enter into such contract of employment by and through an agent, provided such beneficiary has signed a written power of attorney authorizing such contract; to provide the terms and conditions on which the deduction of the attorney's fee shall be made; to provide that the city shall have the right to require, as a condition to deducting any such attorney's fee, that the attorney file an indemnifying bond, or deposit security, with the disbursing officer of the city or pension system, the disbursing office and all beneficiaries against damage or loss arising from the illegal, improper or unauthorized deduction of an attorney's fee; to repeal all laws or parts of laws, whether general, special or local, in conflict with the provisions of this Act; and to provide when this Act shall become effective.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows.

H. B.'s 846, 1086, 1214, 1261, 1262, 1389, 1390, 1405, 1519, 1525, and 1541. To the Committee on Local Legislation No. 2.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Messrs. Bank, Culver, Falkenburg, Coshatt, Waldrop, Roberts, Agee, Headley, Cottingham, Hobbie, Merrill, Parker (T), Robertson, Jones (F), Carter, Cross, Baker, Chesnut, Carnes, Wynot and Grey (D):

H. 841. To repeal Code Section 1 of Title 22 1940 Code of Alabama, as amended, and to amend Code Section 2 of Title 22, 1940 Code of Alabama, as amended, so as to broaden the membership of the State Committee of Public Health, to include a licensed practitioner of dentistry, a licensed practitioner of pharmacy, a registered nurse, a licensed practitioner of veterinary medicine, a licensed optometrist, and a representative of organized labor in this state; to amend further Code Section 3 of Title 22, 1940 Code of Alabama, as amended, and to amend Code Section 4 of Title 22, 1940 Code of Alabama, as amended, so as to broaden the membership of the County boards of health in this state, and to further provide that the State Committee of Public Health be constituted as the State Board of Health.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 841. To the Committee on Health.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Doss, Gloor, Meeks, Gafford, Jones (E), Parker (H), Timmons, Falkenburg, Erdreich, Waggoner, McBride, Boutwell and Wallace:

H. 1789. To provide for the filing for record and the preservation of all orders and Decrees made and entered by any Judge of the Circuit Court in all counties having a population of 500,000 or more according to the last or any subsequent federal census.

Also:

By Messrs. Jones (E), Gloor, Cherner and Boles:

H. 1877. To authorize any Lieutenant in the Police Department of the City of Bessemer to issue warrants of arrest.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize any Lieutenant in the Police Department of the City of Bessemer to issue warrants of arrest.

Be It Enacted by the Legislature of Alabama:

Section I: Any Lieutenant of the Police Department of the City of Bessemer shall have the authority granted under the laws of the State of Alabama to issue warrants of arrest upon proper application therefor.

Section II: This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: June 25, July 2, 9, 16, 1971, and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two

(52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,  
Editor-Publisher.

Subscribed and sworn to before me this the 22nd day of July, 1971.

GRETA F. LACY,  
Notary Public.

Also:

By Messrs. Weeks, Boutwell and Adwell:

H. 1272. To amend Act No. 344 of the Regular Session of the Legislature of Alabama of 1969, authorizing any city of this State having a population of 300,000 or more, according to the last or any subsequent federal census to pay hospital bills, medical expenses and other expenses incurred by employees of said city in securing treatment of injuries sustained by the employees in line of duty.

Also:

By Mr. Jones (F):

H. 1991. Relating to incorporated cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census; providing for the establishing of rules and regulations governing the condemning and removing property within the city limits.

Also:

By Messrs. Jones (F), Hobbie, Straiton and Harris:

H. 2049. To amend Section 1 of Act No. 26, H. 48, Special Session 1962 (Acts 1962, p. 37), which provides for the payment of benefits to employees who are totally disabled as a result of injuries received in the performance of their official duties in certain cities classified on a population basis.

Also:

By Mr. Jones (F):

H. 1119. Relating to cities having populations of not less than 70,000 nor more than 135,000 according to the most recent federal decennial census, to provide for the regulation of campaign expenditures in the municipal elections of such cities; to provide for the reporting and investigation of alleged violations of any of the provisions of this act; to describe the methods of appeal from such decisions and to describe the penalties for any violations of these provisions.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1789, 1877 and 1272. To the Committee on Local Legislation No. 2.

H. B.'s 1991, 2049 and 1119. To the Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Brassell and Adams:

H. 2087. Relating to inferior courts in lieu of all justices of the peace in a precinct in all counties having populations of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; prescribing and regulating the compensation and allowances of the judges of such courts and of the constable serving such courts; and providing for the clerks of the circuit court in such counties to serve as clerks of such inferior courts, prescribing the duties and compensation of such clerks.

Also:

By Mr. Turnham:

H. 2037. Relating to counties having populations of not less than 61,000 nor more than 62,000; providing further for the compensation of the members of the board of equalization and the meeting dates of such board.

Also:

By Messrs. Parker (H) and Doss:

H. 79. To amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as returning officer at each polling place.

Also:

By Messrs. Boles, Wallace, Jones (E), Boutwell, McBride, Weeks, Meeks and Gloor:

H. 1697. To fix the compensation or salary of the assistant judges of probate or deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and provide for payment thereof.

Also:

By Messrs. Timmons, Jones (E), Meeks, Adwell, Ellis, Wallace, Erdreich, Parker (H), Waggoner, Dill, Bowers, Doss, Falkenburg, Weeks, McBride, Boles and Gloor:

H. 1025. To amend Act No. 22 of the Second Special Session of 1956, approved March 23, 1956 (Ala. Acts, Special Sessions of 1956, Page 290 et seq.), relating to deductions from salary and rights and benefits and pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama of 1943, approved June 28, 1943 (General Acts Alabama 1943, page 264) and the predecessors of said Act.

With notice and proof thereto attached and herewith exhibited as follows:

## LEGAL NOTICE

Notice is hereby given that at the 1971 Regular Session of the Legislature, now convened, application will be made for the enactment of a law amending Sections 1, 2, 3 and 6, of Act No. 22, of the Second Special Session of 1956, approved March 23rd, 1956, (Ala. Acts., Special Sessions of 1956, Page 290 et seq.) in the respects below stated.

The proposed law would delete the following word and figures:

"December 31, 1955,"

whenever said word and figures appear in said Sections 1, 2, 3 and 6; and in place and instead of said word and figures deleted, as afore-said, the proposed law would substitute the following word and figures:

"September 1, 1968".

Said Act 22 now provides that pensions of persons retired under Act No. 307 of the Regular Session of the Legislature of 1943, (Ala. Acts, 1943, P. 264) shall be based on, or related to, salaries of active members of the Fire Department in effect on December 31, 1955. The purpose of the proposed law is to secure the pensions to be based on, or related to, salaries of active members of the Fire Department in effect on September 1, 1968. If that date is not acceptable to the Legislature, application will be made for a provision, in the proposed law, requiring the said pensions to be based on, or related to, salaries of active members of the Fire Department in effect on some other date between December 31, 1955, and September 1, 1968.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Sara Wheeler, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 5, 12, 19, 26, 1971, a legal notice, a copy of which is hereto attached.

SARA WHEELER,  
Publisher.

Sworn and subscribed to on this the 28 day of June, 1971.

WALLACE L. WHEELER,  
Notary Public.

Also:

By Messrs. Falkenburg, Gafford, Doss, Parker (H), Ellis, Boutwell and Weeks:

H. 1520. To amend Section 22 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 562, approved October 9, 1947 (General Acts of Legislature of Alabama, 1947, page 398), and as amended by Act No. 670, approved September 16, 1953 (General Acts of Legislature of Alabama, 1953, page 927).



Also:

By Messrs. Timmons, Parker (H), Jones (E), Boles and Wallace:

H. 405. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2087 and 2037. To the Committee on Local Legislation No. 1.

H. B.'s 79, 1697, 1025, 1520 and 405. To the Committee on Local Legislation No. 2.

### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake, Owens, Wise, Stubbs, Headley, McCorquodale, Agee, Adams, Burgess, Brassell, Lang and Hardin:

H. 666. To authorize the state of Alabama department of conservation, division of state parks, monuments and historical sites to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee as follows:

H. B. 666. To the Committee on Conversation.

### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

### ADJOURNMENT

At 7:30 P. M., on motion of Mr. Clark, pending further consideration of S. R. 65 and S. B. 59, the Senate adjourned until Thursday, August 12, 1971, at 10 o'clock A. M.

---

# TWENTY-SEVENTH LEGISLATIVE DAY

THURSDAY, AUGUST 12, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

## PRAYER

The Session was opened with prayer by Dr. Don G. Brown, Minister, Whitfield Memorial United Methodist Church, Montgomery, Alabama.

## ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

## JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

## REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee in Session, has carefully examined the Journal of the Senate for the Twenty-Sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-sixth Legislative Day was approved by the Senate.

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 559. Relating to DeKalb County; providing for the compensation of members of the jury commission and the Clerk of said Commission in DeKalb County.

Also:

S. 560. To regulate the compensation of the members of the county board of education in DeKalb County.

Also:

S. 561. To apply in DeKalb County; fixing the compensation of the chief clerk of the judge of probate of DeKalb County.

Also:

S. 562. Relating to DeKalb County; authorizing the governing bodies of such counties to borrow money in anticipation of revenue, not to exceed a total indebtedness of \$100,000.

Also:

S. 563. Relating to DeKalb County; providing for the payment of an expense allowance to the judge of the county court in DeKalb County.

Also:

S. 564. Relating to DeKalb County; to direct the county governing body to adjust the compensations of certain county officers.

Also:

S. 565. Relating to DeKalb County; to provide an additional expense allowance for the members of the county board of education in DeKalb County.

Also:

S. 566. Further regulating the meetings of the county board of registrars in DeKalb County.

Also:

S. 567. Relating to DeKalb County to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Also:

S. 568. Authorizing the appointment of juvenile court officers in DeKalb County.

Also:

S. 569. Relating to DeKalb County; providing for payment of salary to the Judge of the Inferior Court in DeKalb County, and to provide for all fees going to said court, to be paid into the general fund of such county.

Also:

S. 570. Relating to DeKalb County; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Also:

S. 572. To apply to DeKalb County; providing an expense allowance payable from the county treasury for the use of the coroner.

Also:

S. 573. To apply to DeKalb County; to provide an expense allowance for the chairman and members of the court of county commissioners, board of revenue or other like governing body in DeKalb County.

Also:

S. 574. Relating to DeKalb County; providing for the payment of an expense allowance to the county Solicitor or deputy district attorney in DeKalb County.

Also:

S. 293. To amend Act No. 765 of the Regular Session of the Legislature of Alabama of 1969, approved September 12, 1969 (Ala. Acts, 1969, p. 1252 et seq.), which Act provided in every County having a population of 500,000 or more, according to the last or any subsequent Federal Census, for the creation of a public bureau for the purpose of attracting conventions and visitors to the County.

Also:

S. 441. Relating to Barber County; further regulating the practice of cosmetology in such county particularly in reference to the licensing of managing cosmetologist and the serving of apprenticeships, as such terms are used and defined in Act No. 78, S. 72 of the Special Session 1961.

Also:

S. 575. To apply to DeKalb County; providing an expense allowance for judge of the county court in DeKalb County.

Also:

S. 577. Relating to DeKalb County; providing additional per diem pay from county funds for members of the county board of equalization.

Also:

S. 578. Relating to DeKalb County; to provide for the payment of per diem allowance to members of boards of registrars in DeKalb County.

Also:

S. 432. To provide for the appointment of a humane officer in all counties in this state which may now have or which may hereafter have a population of 150,000 people and less than 180,000 people and in which there is an incorporated city having a population of 70,000 people and less than 135,000 people according to the last Federal Census or any census which may hereafter be taken; to define the duties and fix the compensation of said humane officer; to provide for transportation and the expenses of same and other expenses incurred in the performance of his duties; and placing such officer under the operation of a city county merit system in such counties having such a system.

Also:

S. 434. Relating to incorporated cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census; providing for city planning and zoning; creating a planning commission for each such city, and prescribing the powers and duties of such a commission.

JAMES S. CLARK,  
Chairman.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill and Senate Joint Resolutions with the original Senate Bill and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. J. R. 39. Changing the name of Albert P. Brewer State Junior College to Brewer State Junior College.

Also:

S. J. R. 61. Mourning the death of Bruce Henderson.

Also:

S. 289. To provide for the collection and enforcement by the State Department of Revenue certain taxes levied by the county governing body of each of the several counties for public school purposes.

Also:

S. J. R. 66. Mourning the death of William Riley Cooper, father of Senator Roland Cooper.

JAMES S. CLARK,  
Chairman.

### SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McLain:

S. 1083. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1084. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1085. To provide, in any county of the State of Alabama having a population of not less than 175,000 nor more than 300,000, according to the last Federal Decennial Census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation, and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1086. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last federal decennial census.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1087. To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000

nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1088. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1089. To provide for the manner and procedure of election of members and the chairman of the county commission, the president or presiding judge of boards of county commissions, boards of revenue or like governing bodies in counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census and providing for their term of office and the time of their election.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1090. Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1091. To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census.

Committee on Local Legislation No. 1.

By Mr. Malone:

S. 1092. Relating to the residence of employees of municipalities having a population of not less than 50,000 nor more than 60,000, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Malone:

S. 1093. Relating to public health; providing for the orderly supervision of the several tuberculosis hospitals within the State; providing for a comprehensive and coordinated statewide program of tuberculosis control; creating and establishing a Tuberculosis Control Commission; prescribing the jurisdiction, powers, duties and functions of said Com-

mission; providing for a Director of Tuberculosis Control for the Commission; providing for the administration and enforcement of the Act and orders, rules, and regulations adopted by the Commission; repealing section 199, and amending section 204, Title 22 of 1940 Code of Alabama, as amended; repealing Act No. 690 of the 1965 Regular Session of the Legislature; repealing conflicting acts; making appropriations; and providing for a budget.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 1094. To amend the title and Section 1.01 of Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits the adoption of the council-manager form of municipal government, provides for the calling and holding of elections to vote thereon, provides for the election, terms of office, qualification numbers, powers, and authority of the council, mayor, and the city clerk, provides for the appointment and removal and defines the powers of the city manager defines the legal status, form of government and powers of the city, provides for an annual budget, creates and defines the powers and duties of a department of finance and the director thereof, regulates purchases and contracts of the city, to set up terms and effects of succession in government in said city, provides for the establishment of wards, and provides for the means of abandoning the council manager form of government in certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1095. To amend the title of Act No. 283, H. 981, Regular Session 1969 (Acts 1969, p. 619), which validates certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts 1953, p. 472), and which amends said Act No. 404 so as to provide further for notice required of the election of the first council after a city elects this form of government, and provides for holding and conducting the elections of the first and subsequent city council in certain cities classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1096. To amend the title and Section 1 of Act No. 806, H. 1267, Regular Session 1965 (Acts 1965, p. 1507), which provides for the introduction of hospital records from any hospital organized and operated under state laws as evidence in any court in Alabama, provides for the certifying of said records, enumerates such matters as shall affect the weight of said evidence in the courts, provides for the cost and taxing thereof for such copy and for the filing of said copy, and provides for subpoena duces tecum thereof in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1097. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Committee on Local Legislation No. 1.



By Mr. Lybrand:

S. 1098. To amend the title and Section 1 of Act No. 154, H. 746, Regular Session 1965 (Acts 1965, p. 218), as last amended, which creates the office of commissioner of licenses, prescribes the powers, duties, and authority of such office, fixes the salary, furnishes quarters, supplies and assistants, and provides for the appointment of such commissioner, transfers certain of the duties of the probate judge relating to licenses to such officer, certain of the duties of the tax assessor and tax collector, and all of the duties of the license inspector in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1099. To amend the title and Section 1 of Act No. 99, S. 34, Second Special Session 1963 (Acts 1963, p. 278), which regulates further the method of summoning jurors in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1100. To amend the title and Section 1 of Act No. 826, S. 405, Regular Session 1965 (Acts 1965, p. 1548), which relates to admissibility of evidence in civil actions in the courts of certain counties classified on a population basis, requires copies to be furnished of written statements taken with respect to accidents about which civil actions may be filed to the person making such statements, and prescribes the effect of failure to furnish such copies as are required in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1101. To amend the title and Section 1 of Act No. 33, H. 7, First Special Session 1963 (Acts 1963, p. 107), which authorizes, provides for the licensing of, and regulates the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds, prescribes the fees for such licenses, provides for their collection and distribution, and prescribes penalties for violation of said Act, in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 1102. To amend the title and Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), as last amended, which provides expense allowances for the chairman or presiding judge and members of the governing body in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 1103. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Committee on Local Legislation No. 1.

By Messrs. Bailes, King, Vacca and Gilmore:

S. 1104. To propose an amendment to the Constitution of Alabama authorizing the Mountain Brook School District in Jefferson County to levy and collect, subject to approval of the qualified electors of the said district, a special district ad valorem tax for public school purposes in the said district.

Committee on Local Legislation No. 2.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Wilson:

S. 1105. To provide that involuntary leaves of absence without pay shall, under the Alabama Merit System created by Act No. 5, S. 44 of the 1939 Regular Session (Acts 1939 p. 68), be considered to be dismissals and subject to the provisions of Section 24 of said Act.

Committee on Finance and Taxation.

By Mr. Wilson:

S. 1106. To amend the Title and Section 1 of Act No. 131, II. 141, Special Session 1965 (Acts Special Session 1965, v. I, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 1107. To abolish justices of the peace and justice courts in both criminal and civil matters and to provide in lieu thereof a court in each county and vesting each with jurisdiction formerly exercised by justices of the peace; providing for additional powers of said court; providing for its officers, and their appointment; providing for the term of office of the judge, his powers, duties, compensation, and for costs and fees in such court; providing for the transfer of all cases pending in justice of the peace court to said court hereby established; providing for additional powers of all of the chief law enforcement officers on duty during certain nighttime hours relating to cases over which the court hereby established has jurisdiction; providing for appeal from said court; providing for procedure, practice and pleading in said court; to provide for the approval of bonds in such matters pending before said courts.

Committee on Judiciary.

By Mr. Harris:

S. 1108. To apply only to counties having a population of not less than 39,500 nor more than 41,000, according to the most recent federal decennial census; awarding to certain municipalities in such counties a portion of fines and forfeitures accruing from arrests within their police jurisdiction.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 1109. To apply only in counties having populations of not less than 75,000 nor more than 90,000; providing an expense allowance for the chairman or president and members of the county commission, or other like governing body of the county.

Committee on Local Legislation No. 1.

By Mr. O'Bannon:

S. 1110. Amending Act No. 242, 1969 Regular Session approved July 29, 1969, providing for the compensation of the Assistant District Attorney of the 31st Judicial Circuit.

Committee on Local Legislation No. 1.

By Mr. O'Bannon:

S. 1111. Relating to all counties having a population of not less than 65,000 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census; providing for the submission to the qualified voters of Lauderdale County the question of whether or not an annual license tax and registration fee shall be levied in the amount of 75¢ upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by any individual who is a resident of Lauderdale County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Lauderdale County; providing for the calling, giving of notice, holding, conducting, canvassing and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and counties and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Lauderdale County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration; prohibiting any motor vehicle from using the public highways of Lauderdale County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of promoting the industrial expansion and development of Lauderdale County or payment of principal or interest on any obligation or indebtedness incurred for such purpose, and repealing all laws in conflict therewith.

Committee on Local Legislation No. 1.

By Mr. O'Bannon:

S. 1112. Relating to the creation of a continuing Women's Commission; providing for the operation of such Commission; providing for its compensation; defining its duties; and making an appropriation.

Committee on Finance and Taxation.

By Mr. Weaver:

S. 1113. Relating to Talladega County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Talladega County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction with Talladega County of violations of the rules of the road, or the laws of this State relating to or regulating traffic or the operation of motor vehicles upon the highways of this State, shall be paid into the fine and forfeiture fund of Talladega County, and the remainder shall be remitted by the proper authority to the State Treasurer, who shall credit the same to the proper fund in the State Treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Janette M. Vincent, who being duly sworn according to law, deposes and says that he is the clerk of the Daily Home, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to wit, in the issues hereof dated as follows: June 19, 1971, June 22, 1971, June 29, 1971 and July 6, 1971.

JANETTE M. VINCENT.

Subscribed and sworn to before me this 6th. day of July 1971.

ZELL D. COPELAND,  
Notary Public.

By Mr. Wilson:

S. 1114. To create the Alabama Medicaid Board of Review; to provide for members thereof, their qualifications, method of appointment, and the chairman thereof; to provide for meetings, quorum, and compensation of members; to require approval by the Board of all expenditures made pursuant to State action regarding Title XIX of the Social Security Act which provides for medicaid assistance to the needy; to authorize the Board to establish policy and make recommendations.

Committee on Health.

By Mr. Wilson:

S. 1115. To provide for an increase in salary for the janitors employed at the County Courthouse in all counties having a population of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 1116. To provide that the misuse of funds designated as child support payments shall be unlawful and punishable as a misdemeanor.

Committee on Judiciary.

By Mr. Wilson:

S. 1117. To require those convictions which must be reported to the Department of Public Safety under Code of Alabama 1940 Title 36, Section 68 to be reported within thirty days and to provide penalties for the failure to report these convictions.

Committee on Judiciary.

By Mr. Lybrand:

S. 1118. To amend the title and Sections 1, 3, and 4 and to repeal Section 2 of Act No. 135, H. 117, Special Session 1967 (Acts 1967, p. 185), which provides for the appointment, equipment, training and compensation of deputies, aides and assistants of the sheriff of certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1119. To amend the title and Sections 1, 3 and 4 (b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1120. To amend the title and Section 1 of Act No. 692, H. 954, Regular Session 1967 (Acts 1967, p. 1518), which provides an additional expense allowance for the sheriff of certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. O'Bannon:

S. 1121. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census, to create a Civil Service Board in said counties to assure the more efficient operation of the Sheriff's Department; to provide for the composition, powers, duties, and compensation for such boards; and to establish certain employee management policies for the Sheriff's Department in said counties.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1122. To amend the title and Section 1 of Act No. 185, H. 368, Regular Session 1961 (Acts 1961, p. 227), which provides for and authorizes clerk hire allowances for certain officials in certain counties on a population basis.

Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Stewart, King, Flipppo, St. John, Lutz, Grainger, Carnes, Waldrop, Hill, Jones (F), Wynot, Nettles, Barkett, Roberts, Stubbs, Harris, Taylor and Straiton:

H. 642. Proposing an amendment to the Constitution relating to the Legislative Department.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate standing committee, as follows:

H. B. 642. To the Committee on Constitution and Elections.

## REPORTS OF COMMITTEES

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Carter, et al:

H. 1151. To better provide for the public health by providing that an assistant to a physician, and any trainee in training to become an assistant to a physician, can perform medical services when certain conditions are met; by providing for the approval and regulation of assistants to physicians; by providing for the approval and regulation of physicians to utilize assistants to physicians; by providing for the approval and regulation of programs for training assistants to physicians; enlarging the powers of the Board of Medical Examiners so that they may promulgate rules and regulations for regulating assistants to physicians and the physicians who utilize them; prescribing penalties for violations of the provisions of this Act; authorizing the State Board of Medical Examiners to make any further provisions for carrying out the intent and purposes of this Act, and, for carrying out any other rules and regulations promulgated by the Board of Medical Examiners; providing for injunctive proceedings; restricting liability and responsibility for the acts or omissions of assistants to physicians to the licensed physician or physicians responsible for the control and direction of the activities of such assistants, and providing that no other person, firm, corporation or organization shall be liable or responsible for such activities; and to repeal all laws or part of law to the extent that they conflict with any of the provisions of this Act.

By Mr. Agee:

H. 1039. To amend Section 4 of Act Number 205 1966, Special Session to provide actual and necessary expenses for members of the Board of Pharmacy while engaged in the performance of duties of the Board and to provide payment for relief pharmacist.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 1051. To amend Act No. 1049, S. 8, Legislature of 1969 (Regular Session), approved September 12, 1969 (Acts of 1969, Vol. III, pp. 1939-1965), an Act to provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution within this State; etc., by amending Section 1 (k), Section 1 (l) (5) and Sections 2, 7 (c), 10 (c), 15 and 16 (a) of said Act to the end that the requirements of said Act will be at least equal to requirements imposed by the provisions of the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act.

By Mr. Mims, et al:

H. 815. To amend the provisions of Title 22, Sections 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, and 231, Code of Alabama, 1940, as amended, to change the name of the state agency created by the Legislature; to stabilize and regulate the milk industry in Alabama, to change the composition of the Alabama Dairy Commission to be a Commission made up of five voting members, four of whom to be persons with no direct or indirect interest in the milk business and the Commissioner of Agriculture and Industries; to invest the Dairy Commission with power to employ services of economists, accountants, and other experts to assist the Commission in carrying out its functions; to invest the Commission with the power to require distributors, producer-distributors, dealers, processors, or handlers to post sufficient bond to protect producers and producer payrolls from insolvency of distributors, producer-distributors, dealers, processors, or handlers, or default by said distributors, producer-distributors, dealers, processors, or handlers in making payment for milk received; to require distributors, producer-distributors, dealers, processors, and handlers to make a full and complete accounting to producers, of all milk received, from all sources, including a complete fat and skim accounting; to require the commission to conduct cost studies and prepare findings of fact before fixing the prices for hauling, transporting, bottling, packaging, distributing, processing, and marketing milk; to invest the Commission with the power to fix by economic formula prices to be paid producers and producer associations for milk sold in the state of Alabama.

By Messrs. Smith (P), Connell and Mims:

H. 894. To regulate the sale, offering for sale, distribution and transportation of pesticides by prescribing certain conditions and requirements therefor; to provide that the sale, offering for sale, distribution and transportation of certain highly toxic pesticides may be restricted, limited in use or prohibited; to require the annual registration of pesticides with the Commissioner of Agriculture and Industries before such products are sold, offered for sale or delivered or transported within this State; to require use permits for the purchase and use of restricted use pesticides; to require a special license for the sale or offering for sale of any restricted use pesticides; to create and establish a Pesticide Advisory Committee to perform certain duties in connection with the administration of this Act; and to provide for the administration and enforcement of this Act by the Commissioner

of Agriculture and Industries with exemption provisions; authorizing the adoption of rules and regulations to carry out the purpose of this Act; to provide enforcement and penalty provisions for violations of this Act, and to repeal conflicting laws.

By Mr. Smith (P), et al:

H. 1851. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment; to require persons engaging in such work for compensation to be licensed by the Commissioner of Agriculture and Industries, fixing the license fees and prescribing other requirements for persons engaging in such work including the filing of a bond or a liability insurance policy; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act, prescribing his duties and authority, and to authorize the adoption of rules and regulations in connection therewith together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement provisions and penalties for violations of this Act.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Foshee:

S. 1028. Relating to counties with populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize the county commission in such counties to appropriate \$1,000.00 out of the general fund for the relief of Grover Dean, Juanita Parrish Dean and Etta Dean.

By Messrs. Edington and Noonan:

S. 1029. To further amend the title and Section 1 of Act No. 287, H. 193, Special Session 1965 (Acts 1965, p. 395), as last amended, which provides for compensation of members of the boards of commissioners and imposes a qualifying fee upon persons who desire to become candidates for the office of commissioner of certain cities classified on a population basis.

By Messrs. Noonan and Pelham:

S. 1030. To amend further Sections 3, 8, and 9 of Act No. 243 H. 278, first Special Session 1964, as amended, which establishes the pension and relief system for policemen and firemen of the City of Mobile, by changing the amounts of contributions of the members and of the City; by expanding the investment powers of the Board of Pensions and by changing the bond requirement for the Board of Pensions and its members.

By Mr. Noonan:

S. 1037. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof, and to authorize and provide for the payment of a monthly expense allowance for such Register.



By Mr. Lindsey:

S. 1038. Relating to counties having not less than 16,000 nor more than 16,250 populations, providing for the payment to the Judge of Probate, and/or Juvenile Court Judge of such counties for expenses of attending conferences of Judge of Probate and Juvenile Court Judges.

By Mr. Harris:

S. 1045. Proposing an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for library service in Morgan County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Lindsey (with notice and proof):

S. 1053. Relating to Choctaw County; to provide for the appointment of the county superintendent of education; to prescribe the qualifications, duties, term of office, and compensation of such officer; and to repeal all conflicting laws.

By Mr. Owen (with notice and proof):

S. 1054. Relating to Baldwin County; reorganizing the Baldwin County Commission; to provide further for the number of members of the commission; their election, terms, duties and compensation; and requiring a referendum.

By Mr. Register:

S. 1058. Relating to all counties having populations of not less than 52,400 nor more than 54,000, according to the most recent federal decennial census; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.

By Messrs. Pierce and Jones:

S. 1062. To authorize each municipality at any time having a population as great as 70,000 and not exceeding 135,000, according to the then next preceding Federal Census, to acquire, own, improve, maintain, and operate within the county in which such municipality is located, a public transit system for the transportation of passengers for hire; to provide that any such municipality shall have the power to expend moneys with respect to any such system; and to provide for the use by any such municipality of public roads in the said county in the operation of such system.

By Messrs. Pierce and Jones:

S. 1063. To provide additional alternative procedures whereby incorporated municipalities with populations of not less than 70,000 nor more than 135,000 may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

By Mr. Givhan (with notice and proof):

S. 1066. Relating to Perry County; to authorize and require the State Department of Revenue to refund to such county a portion of the state sales tax paid on purchases made with food stamps; and to provide for the use of such refunds.

By Mr. Lindsey:

S. 1067. To authorize the county solicitor of all counties having a population of not less than 16,000 nor more than 16,250 according to the most recent Federal Decennial Census to employ an assistant district attorney and to authorize and regulate the payment of compensation to such an assistant from county funds.

By Mr. Wilson (with notice and proof):

S. 1068. Relating to Walker County; regulating costs and charges of certain courts in said county.

By Messrs. Goodwin and Reynolds:

H. 479. To apply in all counties having a population of not less than 48,000 and not more than 50,000 according to the 1970 Federal decennial census and having special courts where the probation services for juvenile delinquents is not now provided by the Department of Pensions and Security; to authorize and require the expenditure of State funds to pay part of the cost of salaries of juvenile court probation officers in all such counties when probation officers are certified by the State Department of Pensions and Security under standards prescribed by the State Board of Pensions and Security; to authorize matching State funds with county funds; and to appropriate from any funds in the State Treasury not otherwise appropriated money necessary for carrying out the purposes of this Act.

By Messrs. Jackson and Wise:

H. 769. To amend the title and Sections 1 and 2 of Act No. 908, H. 1286, Regular Session 1969 (Acts 1969, p. 1636), which Act provides for changes in election precincts, regulation and use of voting machines, changes in boundary lines, use of paper ballots, election officials and compensation therefor, and duties of the judge of probate in certain counties classified on a population basis.

By Messrs. Jackson and Wise:

H. 770. To amend the title and Section 1 of Act No. 118, H. 194, Special Session 1966 (Acts 1966, p. 156), which Act provides for the hunting of female deer or unantlered male deer in certain counties classified on a population basis.

By Messrs. Jackson and Wise:

H. 771. To repeal Act No. 10, H. 14, approved October 29, 1965, Third Special Session (Acts of Alabama 1965, p. 214) entitled, "An Act Relating to counties having populations of not less than 35,500 nor more than 36,500 according to the most recent federal decennial census; to regulate further fishing gear which may be used in commercial fishing operations in the public waters of such counties."

By Messrs. Jackson and Wise:

H. 772. To repeal Act No. 84, H. 94, approved, February 9, 1956, Special Session 1956 (Acts of Alabama 1956, p. 125) entitled, "An Act To provide an optional plan by which any county governing body in all counties with a present or future population of 40,000 and less than 45,000 may establish two or more voting places within an election precinct, to direct the grouping of not more than 300 names of qualified registered voters within such precinct in alphabetical order and the assignment of such groups to a designated voting place; to require the publication of such group-lists and their respective assignments to voting places within said precinct; to provide that this law shall not

apply to election precincts wherein voting machines are lawfully in use; to provide for the repeal of all laws in conflict herewith; and to provide when this Act shall become effective," and all acts amendatory thereto.

By Messrs. Jackson and Wise:

H. 773. To repeal Act No. 11, H. 15, approved, October 29, 1965, Third Special Session 1965 (Acts of Alabama 1965, p. 215) entitled, "An Act Relating to counties having populations of not less than 35,500 nor more than 36,500 according to the most recent federal decennial census; to regulate further fishing gear which may be used in commercial fishing operations in the public waters in such counties."

By Messrs. Carnes, Waldrop and Wynot:

H. 778. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; to prohibit employers from requiring or requesting any employee or applicant for employment to waive his right to have his juvenile court record withheld from public inspection, as such right is accorded by Section 353, Title 13, Code of Alabama 1940; providing penalties for violations.

By Messrs. Hardin and Bassett:

H. 1127. To regulate the tenure of employment of county employees having over fifteen years' service in counties having populations of not less than 22,000 nor more than 22,500, creating a Civil Service Board of Appeals, regulating tenure of employment for such employees and prescribing the authority and qualifications, terms, duties, and expenses of members of the board.

By Mr. Jackson (with notice and proof):

H. 1230. To amend Act No. 45, H. B. 29, Special Session 1967, approved April 3, 1967, creating a court in Covington County designated as the "Covington County Alabama Intermediate Court."

By Mr. Grey (D) (with notice and proof):

H. 1277. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

By Mr. Williams:

H. 1382. Relating to counties having a population of not less than 38,100, nor more than 40,500 according to the last, or any subsequent federal decennial census, which are levying a franchise, excise or privilege license tax, under the provisions of Act No. 34, 1969, Special Session of the Alabama Legislature, allowing the county governing body to pay certain expenses for the county superintendent, and providing that such provision shall not be mandatory.

By Messrs. Jackson and Wise (with notice and proof):

H. 1515. To authorize and require the governing body of Covington County to pay annually to the Board of Education of Covington County a lump sum in lieu of providing office quarters and necessary furniture, office equipment, stationery, postage, forms, telephone service and supplies required by the County Superintendent of Education of said county and his assistants; and to authorize and require the County Board of Education to provide such office quarters and necessary furniture, office equipment, stationery, postage, forms, telephone service, supplies, heating and cooling equipment out of the public school funds of Covington County.

By Mr. Smith (P):

H. 1573. To repeal Act No. 150, H. 487, Regular Session 1961, approved August 1, 1961, entitled "An Act To apply in all counties having a population of not less than 65,000 nor more than 95,000, according to the last or any subsequent Federal decennial census; to better secure the enforcement of laws in such counties, to further prescribe the duties of the Sheriffs and Solicitors in the enforcement of such laws and to provide for the payment of the expenses incurred in connection therewith."

By Mr. Smith (P):

H. 1574. To repeal Act No. 1226, H. 1502, Regular Session 1969, approved September 13, 1969, entitled "An Act Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, and having county courts composed of two divisions with a judge for each division; prescribing the civil jurisdiction of such courts; and placing certain limitations on the judges thereof."

By Mr. Smith (P):

H. 1575. To repeal Act No. 359, S. 519, Regular Session 1967, approved September 5, 1967, entitled "An Act To apply only in counties having populations of not less than 65,000 nor more than 95,000; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury."

By Mr. Smith (P):

H. 1576. To repeal Act No. 713, H. 1002, Regular Session 1967, approved September 8, 1967, entitled "An Act Applying to all counties having a population of not less than 65,000 nor more than 95,000 according to the last or any subsequent federal decennial census; creating an assistant clerk in certain divisions of the county courts in such counties and providing for the pay thereof."

By Mr. Smith (P):

H. 1577. To repeal Act No. 201, S. 442, Regular Session 1967, approved August 8, 1967, entitled "An Act To apply to all counties having populations of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having an authorized office or place of business in any city or town in any such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established."

By Mr. Smith (P):

H. 1578. To repeal Act No. 452, H. 1060, Regular Session 1969, approved August 22, 1969, entitled "An Act Relating to counties having populations of not less than 65,000 nor more than 95,000; authorizing the county governing body of any such county and the governing body of any municipality within any such county to contribute public funds for a volunteer rescue squad."

By Mr. Smith (P):

H. 1579. To repeal Act No. 147, H. 134, Special Session 1971, approved May 11, 1971, entitled "An Act Relating to counties having a population of not less than 65,000 nor more than 68,000 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published."

By Mr. Smith (P) (with notice and proof):

H. 1583. Relating to Talladega County; authorizing the county governing body of such county and the governing body of any municipality within such county to contribute public funds for a volunteer rescue squad.

By Mr. Smith (P) (with notice and proof):

H. 1584. Applying to Talladega County; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury.

By Mr. Smith (P) (with notice and proof):

H. 1585. Applying to Talladega County; creating an assistant clerk in certain divisions of the county courts in such county and providing for the pay thereof.

By Mr. Smith (P) (with notice and proof):

H. 1586. Relating to Talladega County, to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

By Mr. Smith (P) (with notice and proof):

H. 1587. Applying to Talladega County; prescribing the civil jurisdiction of the county court of such county; and placing certain limitations on the judges thereof.

By Mr. Smith (P) (with notice and proof):

H. 1588. Applying to Talladega County; to better secure the enforcement of laws in such county, to further prescribe the duties of the Sheriff and District Attorney in the enforcement of such laws and to provide for the payment of the expenses incurred in connection therewith.

By Messrs. Jackson and Wise:

H. 1672. Relating to counties having populations of not less than 34,000 nor more than 34,800, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

By Messrs. Jackson and Wise:

H. 1673. To authorize county boards of education in all counties having a population of not less than 34,000 nor more than 34,800, to appoint the superintendent of education for such counties.

By Messrs. Jackson and Wise:

H. 1674. Relating to counties having populations of not less than 34,000 nor more than 34,800; according to the most recent federal decennial census; providing for the payment or reimbursement by said counties to the members, including the chairman, of the county commission, of their actual expenses incurred in the performance of their duties outside the county, including expenses incurred by them in attending conventions of the National Association of County Commissioners and the Alabama Association of County Commissioners.

By Messrs. Jackson and Wise:

H. 1675. To authorize the Director of Conservation to open a season in counties having a population of not less than 34,000 nor more than 34,800, for the hunting of female deer or unantlered male deer.

By Mr. Grey (D):

H. 1742. Relating to all counties having a population of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; to withdraw and take away criminal and quasi-criminal jurisdiction from justices of the peace and notaries public ex officio justice of the peace, and vest such jurisdiction in the County Courts.

By Mr. Edwards:

H. 1817. To repeal Act No. 835, H. 1102, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1541), entitled, "An Act Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting law."

By Mr. Edwards:

H. 1818. To repeal Act No. 834, H. 1101, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1540), entitled, "An Act Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to authorize the county governing bodies of such counties to employ the clerks of the circuit courts in such counties to perform certain duties, and to prescribe such duties and to provide for payment of compensation therefor."

By Mr. Edwards:

H. 1819. To amend the title and Section 1 of Act No. 119, H. 108, Special Session 1969 (Acts 1969, p. 190), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the disposition and use of such fees, in certain counties classified on a population basis.

By Mr. Edwards:

H. 1820. To amend the title and Section 1 of Act No. 515, H. 1135, Regular Session 1965 (Acts 1965, p. 759), which provides further for the payment of an expense allowance to coroners of certain counties classified on a population basis.

By Mr. Edwards:

H. 1821. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87), which regulates the compensation of election officers in certain counties classified on a population basis.

By Mr. Edwards:

H. 1822. To amend the title and Section 1 of Act No. 169, H. 493, Regular Session 1963 (Acts 1963, p. 565), which fixes the compensation of the county or deputy solicitor in certain counties classified on a population basis.

By Mr. Edwards:

H. 1823. To amend the title and Section 1 of Act No. 836, H. 1103, Regular Session 1969 (Acts 1969, p. 1541), which provides an allowance for the employment of additional clerical assistance by the tax assessors and collectors of certain counties classified on a population basis.

By Mr. Edwards:

H. 1824. To authorize the county commission of counties having populations of not less than 12,700 nor more than 13,100, according to the most recent federal decennial census, to pay, within their discretion, a total amount not to exceed \$800 to private citizens as a result of damages done by county trucks.

By Mr. Edwards:

H. 1825. To repeal Act No. 256, H. 769, approved July 29, 1969, Regular Session 1969 (Acts 1969, p. 588), entitled, "An Act To fix expense allowances of courts of county commissioners, boards of revenue or like governing bodies of all counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This act is in addition to all existing allowances."

By Messrs. Carnes and Wynot:

H. 1837. To authorize the Ex-Officio Clerks of the County Courts, in Counties having a population of not less than 90,000 nor more than 100,000 inhabitants, according to the last or any subsequent Federal decennial Census, to destroy all Files, Shucks, or Envelopes, together with all papers filed therein in all Civil Cases in such Courts after the expiration of eight years from the date of final Judgments, provided that the final Judgments have not been revived within six years from date of such Judgments; but no authority is given herein to destroy the Consolidated Docket and Fee Books Sheets, Final Record Books or the Indices in Such Cases.

By Mr. Jackson:

H. 1844. To amend the title and Section 1 of Act No. 370, H. 920, Acts of Alabama, 1969 Regular Session, (Acts of 1969, p. 739) which provided further for the compensation of certain bailiffs in certain counties classified on a population basis.

By Mr. Grey (D):

H. 1849. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; to provide for salaries and source of payment therefor to members of the county commission of such counties.

By Messrs. Brassell and Adams:

H. 2087. Relating to inferior courts in lieu of all justices of the peace in a precinct in all counties having populations of not less than 42,000 nor more than 49,500 according to the most recent federal de-

cennial census; prescribing and regulating the compensation and allowances of the judges of such courts and of the constable serving such courts; and providing for the clerks of the circuit court in such counties to serve as clerks of such inferior courts, prescribing the duties and compensation of such clerks.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Pierce, Clark, Lybrand, Givhan, Owen, Carr, Vacca, Lindsey, Harris, Gilmore and Jones (with substitute):

S. 1000. To create in the State Department of Conservation a Division of Land Surveys; to provide for an officer designated Chief of the Division of Land Surveys, his oath of office and duties, acting for and in behalf of the Director of Conservation; to establish an Advisory Board for the Division of Land Surveys, its membership, duties and functions; to provide for a chairman of the Advisory Board and to provide for regular and special meetings; to provide for the travel and other necessary expenses of the members of the Advisory Board; to provide for the acquisition of lands, or interests therein, by the Division; to provide for public land survey corners and to make it a misdemeanor to destroy same; to provide for extension of a triangulation and leveling net of precision; to provide for a location of the Division; to give certain personnel of the Division the right to enter upon private property for certain purposes and to provide for payment for any damages that might be incurred while on said property, and to provide that said personnel shall be immune from arrests for trespassing in performing their legal duty on said property; to provide for the furnishing of certain information to the Division by certain public officials; to provide for the furnishing of records to other public agencies and to provide for the admission for certain records of the Division in court proceedings; to provide that certain employees be registered land surveyors and providing that no employee of the Division shall engage in private land surveying or consultation; to grant the Division the right to produce and sell maps and other data and providing for the deposit of such funds; to grant to the Division power to enter into contracts; to establish a Land Surveys Fund to accomplish the purposes and to fulfill the provisions of this Act; and further providing that any moneys in the Land Surveys Fund in excess of \$100,000.00 at the end of any state fiscal year shall be transferred into the General Fund of the State.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Pierce:

S. 815. To protect wildlife exhibited for public purposes; to provide that the Director of Conservation may prescribe standards for the care and treatment of captive wildlife; to require persons exhibiting wildlife to secure a permit from the Department of Conservation and to pay a permit fee of twenty-five dollars (\$25.00) therefor; to provide punishment for the violation of the provisions of this Act or the standards established hereunder.



By Mr. Owen:

S. 1033. To amend Section 6 of Act No. 344, H. 301, approved September 5, 1955, as amended, (Acts of Alabama 1955, p. 780), which created the Fort Morgan Historical Commission so as to provide further for the salaries of the secretary and historian and the assistant secretary of the commission.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Drake (with amendment):

H. 37. To provide for the cost of and establish the procedure for obtaining an annual resident state hunting license.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Jones (F), et al:

H. 1153. To amend Section 1 of Act No. 999 of the Regular Session of the Legislature of Alabama, 1969, approved September 12, 1969 (Acts of Alabama 1969, p. 1855), which Act created a retirement system for peace officers as defined therein, so as to include enforcement officers of conservation laws within the provisions of said Act.

By Mr. Hardin:

H. 1049. To rename the Department of Conservation; to rename the Division of Seafoods of the Department of Conservation; to designate and provide for the official titles or classifications of the head and assistant head of the Department and the division heads and certain administrative personnel in the Department.

By Mr. Drake, et al:

H. 666. To authorize the state of Alabama department of conservation, division of state parks, monuments and historical sites, to enter into contracts with persons, firms or corporations to operate concessions within state park areas, said concession contracts to be awarded on a competitive bid basis; to provide for negotiated concession contracts in particular instances; and to provide for cancellation of said concession contracts.

By Mr. Drake:

H. 42. To amend Act Number 546, Regular Session of the Legislature of Alabama 1965 (approved August 20, 1965), relating to resident state hunting license for persons sixty-five or older.

By Mr. Drake:

H. 39. To amend Section 38 of Title 8 of the Code of Alabama of 1940 so as to provide an increase in amount for resident annual state fishing license and to provide for a resident annual county hook and line fishing license.

## ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 117. COMMENDING THE ALABAMA CATTLEMEN'S ASSOCIATION

H. J. R. 119. DEMANDING PROPER OPERATION OF RAILROAD YARDS

H. J. R. 121. COMMENDING ARMY SERGEANT JOHN F. CANNON OF PELL CITY UPON WINNING THE BRONZE STAR IN VIETNAM

H. J. R. 130. RESOLUTION TO RECOGNIZE THE MUSKOGEE (CREEK) INDIAN NATION AND THE CHIEF THEREOF

H. J. R. 125. MOURNING THE DEATH OF ROBERT W. BRASINGTON

H. J. R. 126. COMMENDING MADISON COUNTY COMMISSION ON WINNING CERTAIN NATIONAL AWARDS.

H. J. R. 129. NAMING THE NEW AGRICULTURE AND INDUSTRIES BUILDING THE "RICHARD BEARD BUILDING"

H. J. R. 132. HONORING THE MEMORY OF THE LATE MR. R. L. ZEIGLER AND MRS. ZEIGLER

H. J. R. 137. NAMING A BUILDING AT THE GADSDEN STATE TECHNICAL TRADE SCHOOL IN MEMORY OF MR. E. N. PRATER.

were again read and, on motion of Mr. Foshee, were adopted by the Senate.

## UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Resolution:

S. R. 65. Setting Special Orders.

REPORT OF  
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 362. To amend further Act No. 661, Regular Session 1951 (Acts 1951, p. 1125), as amended, which act regulates Barbers, Barber Shops and Barber Colleges etc., and which creates a Barber Commission for all counties having a population of 400,000 or more according to the last or any subsequent federal decennial census, by revising the manner of selecting commissioners.

Also:

S. 364. To provide for the Alcoholic Beverage Control Board to issue liquor licenses to Civic Center Authorities established under Act

No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, p. 797, et seq.); to regulate the issuance of such licenses; to provide the amount of the license tax, or fee, which shall be payable for such licenses; to provide that such license shall authorize the Civic Center Authority holding the same to keep and sell in its Civic Center alcoholic, malt and vinous beverages, and to repeal laws or parts of laws in conflict with the provisions of this Act.

Also:

S. 365. To provide that this act shall apply to each county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving, or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area, to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to establish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either of the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama of 1940, as now or hereafter amended.

Also:

S. 433. To authorize all cities in the State of Alabama having a population exceeding 70,000 and not exceeding 135,000 inhabitants, according to the 1970 or any succeeding regular decennial federal census, or which shall hereafter have such population according to any such census that may hereafter be taken, to enact ordinances to establish and maintain a general system of pensions and retirements, including allowances payable on retirement for age or disability, or benefits on separation from service, for the benefit of their regular employees, including regular employees whose compensation is computed and paid on a per diem basis, and the regular employees of any board or commission, with necessary classification and terms of admission; and providing that upon the establishment of any system of pensions and retirements such employees theretofore or thereafter appointed shall be

eligible, subject to such exceptions, limitations and restrictions as deemed expedient, to admission to such system; to authorize such ordinances to prescribe the manner in which the system may be conducted and its funds collected and distributed; to authorize such cities enacting such ordinances to establish such board for the administration of the fund as is deemed expedient, and to permit the governing body of the city to serve as such board; to require the participating employees and the city to contribute to the funds of such retirement system and to provide for the fixing of the rates of contribution; to require the board to have prepared annually actuarial valuation of the assets and liabilities of the system and to permit, on the basis of such valuation, increase or decrease in the rates of contribution; to require such pension or retirement system organized under the provisions of this Act to create and maintain reserves, calculated to be adequate to cover the liabilities on account of benefits payable under the ordinances, on the basis of an interest rate not in excess of four percentum per annum, and mortality, disability and other experience tables, or a similar group of employees; to authorize the reserves required in respect of service rendered or benefits granted prior to the date of the organization of such system under the provisions of this Act to be accumulated on a basis calculated to produce a balance between the actuarial present value of the assets and of the liabilities of the system within a period of not exceeding thirty years from the date of establishment of said system; to authorize the organization of a retirement system under this Act to provide for the cessation, limitation or application of any former system of retirement benefits applying to persons eligible to be included in the newly organized system provided that any funds of such former system transferred to the newly organized system shall be applied first to the payment of the benefits on account of which such funds were contributed; to require that the funds of such retirement system organized under the provisions of this Act constitute a trust fund to be used only for the purpose of providing the benefits of such retirement system and shall be held independently of the funds in the treasury of the city; to require that the ordinances provide for trustees, to invest and reinvest the funds of the system and the terms and restrictions in the manner of making such investments; to provide that the property of said system, the portion of wages or salary of an employee deducted or to be deducted, the right of an employee to a benefit, and all his rights in the funds of the system shall be exempt from taxation, attachment, execution or other process to satisfy any debt or liability of any employee of the system and any law relating to bankruptcy or insolvency; to provide that no assignment of any right in said funds or any benefits under the provisions of said ordinances shall be valid; to provide the time of taking effect of this Act.

Also:

S. 435. Providing that in all cities of the State of Alabama now having or hereafter having a population of as many as 70,000 and not more than 135,000 people, according to the 1970 or any succeeding regular decennial Federal Census, the employees of any water works board or other board, public corporation or commission, created or appointed by the governing authority of any such city, who were or are at the time of the creation or appointment of such water works board or other board, public corporation or commission, employees of any such city, or paid in part or in whole, directly or indirectly, from funds contributed or appropriated by any such city, shall continue to be covered and protected by and entitled to the benefits of any pension or retirement system, law or plan, or other benefit plan in effect for employees of any such city at the time of the creation or appointment of any such water works board or other board, public corporation or commission; providing for the contribution and payment by any such

water works board or other board, public corporation or commission, of all sums due by or accruing to any of their respective employees under any such pension or retirement system, law or plan, or other benefit plan; providing that any such water works board or other board, public corporation or commission may enter into agreements with any such city for participation by their respective employees employed after the appointment and creation of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, now applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their respective employees in any such pension or retirement system, law or plan, or other benefit plan; and providing that any such water works board or other board, public corporation or commission, may enter into agreements with any such city for participation by their respective employees, whether employed before or after the creation or appointment of any such water works board or other board, public corporation or commission, in any pension or retirement system, law or plan, or other benefit plan, hereafter applicable to or for the benefit of the employees of any such city, and as part of any such agreement to provide for contributions or payments to be made by any such water works board or other board, public corporation or commission in connection with the participation by their said respective employees in any such pension or retirement system, law or plan, or other benefit plan.

Also:

S. 436. To provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this state having a population exceeding 150,000 and not exceeding 180,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken.

Also:

S. 437. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all counties of Alabama, having a population of not less than 150,000 nor more than 180,000 inhabitants according to the 1970 federal census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex-officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Five Thousand One Hundred and No/100 (\$5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex-officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Three Thousand and No/100 (\$3,000.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Also:

S. 438. To amend Act No. 401, page 568 of the Acts of Alabama 1957 Regular Session by deleting therefrom the words "and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank" as said words appear in Section 1 of said Act No. 401 following the word "election" and preceding the word "and".

Also:

S. 502. Relating to Walker County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Walker County.

Also:

S. 515. To amend the title and Sections 1 and 2 of Act Number 481, H. 872, Regular Session 1961, as amended, pertaining to providing recreational facilities and services for cities.

Also:

S. 550. Providing that in all counties having a population of not less than 95,000 nor more than 115,000 the Commissioner of Licenses shall collect a fee for taking an affidavit or affidavits when issuing a commercial motor vehicle tag and when making a transfer of any motor vehicle tag.

Also:

S. 571. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in DeKalb County to prescribe the fee for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 635. To amend the title and Section 1 of Act No. 594, S. 716, Regular Session 1969 (Acts 1969, p. 1081) which fixes the per diem pay for members of the county board of equalization of certain counties classified on a population basis.

Also:

S. 636. To amend the title and Section 1 of Act No. 160, H. 54, Special Session 1961 (Acts 1961, p. 2108) which authorizes the county governing body to fix the compensation of deputy sheriffs in certain counties classified on a population basis.

Also:

S. 637. To amend the title and Section 1 of Act No. 194, S. 417, Regular Session 1967 (Acts 1967, p. 560), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such funds, in certain counties classified on a population basis.

Also:

S. 638. To amend the title and Sections 1 and 3 of Act No. 1092, S. 907, Regular Session 1969 (Acts 1969, p. 2077) which provides for the election and qualifications of members of the county governing body in certain counties classified on a population basis.

Also:

S. 639. To amend the title and Section 1 of Act No. 1006, S. 832, Regular Session 1969 (Acts 1969, p. 1880) which regulates the compensation of jurors in certain counties classified on a population basis.

Also:

S. 640. To amend the title and Section 1 of Act No. 190, S. 409, Regular Session 1969 (Acts 1969, p. 504) which increases the salary of the deputy solicitor of certain counties classified on a population basis.

Also:

S. 641. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87) which regulates the compensation of election officers in certain counties classified on a population basis.

Also:

S. 642. To amend the title and Section 1 of Act No. 13, H. 25, Third Special Session 1965 (Acts 1965, p. 217) which authorizes the county governing body to appropriate and use certain county funds and to designate and use certain county property in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964, in certain counties classified on a population basis.

Also:

S. 643. To amend the title and Section 1 of Act No. 107, H. 381, Regular Session 1963 (Acts 1963, p. 488), which increases the pay of all employees of the county board of education in certain counties classified on a population basis.

Also:

S. 644. To amend the title and Section 1 of Act No. 95, H. 276, Regular Session 1963 (Acts 1963, p. 481), which regulates the compensation of the county superintendents of education in certain counties classified on a population basis.

Also:

S. 645. To amend the title and Section 1 of Act No. 67, H. 33, Special Session 1964 (Acts 1964, p. 88) which relates to closing the office of officials in the courthouse in certain counties classified on a population basis.

Also:

S. 646. To amend the title and Section 1 of Act No. 68, H. 34, Special Session 1964 (Acts 1964, p. 88) which provides further for the compensation of the coroner in certain counties classified on a population basis.

Also:

S. 647. To amend the title and Section 1 of Act No. 191, S. 71, Special Session 1969 (Acts 1969, p. 254) which regulates the compensation and number of meetings of members of the boards of education of certain counties classified on a population basis.

Also:

S. 682. For the relief of Clyde Royal; authorizing the Montgomery County Commission to appropriate funds from the Gasoline Tax Fund for such purpose.

Also:

S. 747. To provide further for the Court Reporters salary in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

Also:

S. 749. Relating to counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census; providing for the distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

JAMES S. CLARK,  
Chairman.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

### RECESS

At 12:45 P. M. on motion of Mr. Fine, pending further consideration of S. R. 65, the Senate took a recess until 2 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hill and Flippo:

H. 354. To regulate further the excusing of persons from jury service in the Eleventh Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Also:

By Messrs. Hill and Flippo:

H. 355. To allow prospective jurors to be excused without the presence of the defendant in the Eleventh Judicial Circuit of Alabama.

Also:

By Messrs. Hill and Flippo:

H. 356. To abolish the drawing of special venires in capital cases in the Eleventh Judicial Circuit of Alabama.



Also:

By Messrs. Hill and Flippo:

H. 357. Relating to criminal procedure in the Eleventh Judicial Circuit; providing for the separation of the jury during the trial of a felony by consent of the parties thereto.

Also:

By Messrs. Hill and Flippo:

H. 358. To apply only in the circuit court of the Eleventh Judicial Circuit; to provide that in such court the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any members of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

Also:

By Mr. Edwards:

H. 1829. To amend the title and Section 1 of Act No. 237, S. 459, Regular Session 1967 (Acts 1967, p. 613), which provides for additional compensation for registrars in certain counties classified on a population basis.

Also:

By Messrs. Gafford, Bowers, Dill, Waggoner, Meeks, Weeks, Ellis, Boles, Jones (E), Parker (H), Timmons, Adwell, Wallace, Gloor, Cherner, McBride and Boutwell:

H. 789. To amend Section 26 of Title 21 of the 1940 Code of Alabama, as recompiled in 1958, to provide that in counties having a population of 500,000 or more, according to the last or any subsequent Federal census, guardianships may be transferred to the Circuit Court only by order of the Judge of Probate upon the petition of a party in interest showing the need for such transfer.

Also:

By Messrs. Gafford, Bowers, Dill, Waggoner, Meeks, Weeks, Ellis, Boles, Jones (E), Parker (H), Timmons, Adwell, Wallace, Gloor, Cherner, McBride, and Boutwell:

H. 788. To amend Section 139 of Title 13 of the 1940 Code of Alabama, as recompiled in 1958, to provide that in counties having a population of 500,000 or more, according to the last or any subsequent Federal census, administrations of estates may be transferred to the Circuit Court only by order of the judge of probate upon the petition of a party in interest showing the need for such transfer.

Also:

By Mr. Smith (P):

H. 1045. To authorize the coroner of Talladega County to appoint a deputy coroner and to provide for the powers, duties, salary and expenses of such deputy.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To authorize the coroner of Talladega County to appoint a deputy coroner and to provide for the powers, duties, salary and expenses of such deputy.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Talladega County is hereby authorized to appoint a deputy coroner who shall be responsible to and serve at the pleasure of the coroner. Said deputy coroner shall have the same powers and perform the same duties as the coroner, and as compensation for his services shall be entitled to one hundred fifty dollars (\$150) per month and all reasonable and necessary expenses of travel within the county in performance of the duties of his office. The deputy coroner may also be reimbursed for reasonable expenses of travel outside the county in performance of the duties of his office provided such travel expense is first approved by the governing body of the county and authorization therefor is duly entered in its minutes prior to the time of travel. All such compensation and expenses shall be paid out of the county treasury at the same time and in the same manner as other county officers are paid.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lena Robinson, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 15, June 22, and June 29, all in the year 1971.

LENA ROBINSON.

Sworn to and subscribed before me 29th day of June, 1971.

ZELL S. COPELAND,  
Notary Public.

Also:

By Messrs. Crawford and Connell:

H. 1854. Relating to counties having populations of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; and providing for an expense allowance for the superintendent of education in such counties.

Also:

By Messrs. Crawford and Connell:

H. 1855. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; regulating the insuring of the public hospital and health center buildings and the contents thereof in such counties.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 354, 355, 356, 357, 358, 1829, 1045, 1854 and 1855. To the Committee on Local Legislation No. 1.

H. B.'s 789 and 788. To the Committee on Local Legislation No. 2.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crawford and Connell:

H. 1856. To provide for the appointment of Deputy District Attorneys for Henry County, Alabama, to redesignate the office of County or Deputy Solicitor as the office of Deputy District Attorney; and to provide for the appointment, duties and compensation of such officers.

With notice and proof thereto attached and herewith exhibited as follows:

## ORDER OF PUBLICATION

STATE OF ALABAMA  
HENRY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for the appointment of Deputy District Attorneys for Henry County, Alabama, to re-designate the office of County or Deputy Solicitor as the office of Deputy District Attorney; and to provide for the appointment, duties and compensation of such officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of County Solicitor or Deputy County Solicitor of Henry County, Alabama, shall be abolished.

Section 2. The offices of Deputy District Attorney No. 1 and the Deputy District Attorney No. 2 of Henry County, Alabama, are hereby created in lieu of the present office of County or Deputy Solicitor. The two Deputy District Attorneys of Henry County, Alabama, No. 1 and No. 2, shall be appointed by and shall serve at the pleasure of the District Attorney of the Twentieth Judicial Circuit. Each Deputy District Attorney must be qualified by the Courts of this State for the practice of law, but he shall not be subject to the provisions of Sub-Section 12 of Section 229, Title 13, Code of Alabama, 1940, as Recompiled 1958.

Each Deputy District Attorney shall perform such duties and exercise such authority as may be prescribed by law pertaining to duties and authority of Deputy or County Solicitor and by the District Attorney of the Twentieth Judicial Circuit.

Section 3. The salary of Deputy District Attorney No. 1 shall be fixed by the District Attorney of the Twentieth Judicial Circuit at a sum not to exceed \$3,000.00 per annum, payable out of the County Treasury of said County in equal monthly installments, as provided by law for the payment of salaries out of the general fund of said County. The salary of Deputy District Attorney No. 2 shall be fixed by the District Attorney of the Twentieth Judicial Circuit at a sum not to exceed \$2400.00 per annum, payable out of the County Treasury of said County in equal monthly installments, as provided by law for the payment of salaries out of the general fund of said County.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall take effect on the first day of the month next following the date of its enactment.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
HENRY COUNTY

Before me, Nathalie S. Dodd, a Notary Public in and for said County, in said State, personally appeared J. Edward Dodd, who is

known to me, and who by me being duly sworn, deposes and says that he is the Publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on to-wit: May 13, 1971, May 20, 1971, May 27, 1971, June 3, 1971.

J. EDWARD DODD.

Sworn to and subscribed before me, this 27th day of July, 1971.

NATHALIE S. DODD,  
Notary Public.

Also:

By Messrs. Crawford and Connell:

H. 1857. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 13,200 nor more than 13,400.

Also:

By Messrs. Crawford and Connell:

H. 1858. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

Also:

By Messrs. Crowe and Naramore:

H. 1875. To amend Act No. 342, H. 809, of the Regular Session of 1969 (Acts 1969-1970, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis, so as to authorize the taking, catching or killing of raccoons and o'possums in such counties during nighttime hours with a shotgun using number 8 shot as well as a .22 rifle using short cartridges.

Also:

By Messrs. Connell and Crawford:

H. 1931. To repeal Act No. 553, H. 1094, approved August 29, 1969, entitled, "Relating to certain county officers in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; providing expense allowances for the probate judge, the tax assessor and the tax collector; and prescribing an effective date and an expiration date for this Act." (Acts of 1969, p. 1037)

Also:

By Messrs. Connell and Crawford:

H. 1932. To repeal Act No. 556, H. 1129, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1039), entitled, "An Act To fix the compensation of the sheriffs of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws."

Also:

By Messrs. Connell and Crawford:

H. 1933. To repeal Act No. 321, H. 759, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 800), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000; providing expense allowances for members of the court of county commissioners, board of revenue, or other like county governing body."

Also:

By Messrs. Connell and Crawford:

H. 1934. To repeal Act No. 914, H. 1300, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1645), entitled, "An Act To apply only in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization and repealing conflicting law.

Also:

By Messrs. Connell and Crawford:

H. 1935. Relating to Houston County; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department; to authorize the county governing body to prescribe the exact amount of such salaries.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Houston County; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department; to authorize the county governing body to prescribe the exact amount of such salaries.

Be It Enacted by the Legislature of Alabama:

Section 1. Each deputy sheriff and other employee of the sheriff's department of Houston County shall receive a salary of not less than three hundred and forty-five dollars (\$345) per month nor more than six hundred dollars (\$600) per month. The county governing body is hereby authorized to prescribe the exact salary of each such deputy sheriff or other employee within this range.

Section 2. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 26, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1936. To repeal Act No. 1240, H. 1539, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2342), entitled, "An Act To provide for the compensation of the register of the circuit court of any county having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census."

Also:

By Messrs. Connell and Crawford:

H. 1937. Relating to Houston County; to provide for the compensation of the judge of probate in such counties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Houston County; to provide for the compensation of the judge of probate in such counties.

Be It Enacted by the Legislature of Alabama:

Relating to Houston County; to provide for the compensation of the judge of probate in such counties.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of Houston County shall be entitled to a salary of twelve thousand dollars (\$12,000) per annum, payable in equal monthly installments from the general funds of the county.

Section 2. This Act shall become effective September 1 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 26, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1938. Relating to Houston County; to regulate the compensation of jurors.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Houston County; to regulate the compensation of jurors.

Be It Enacted by the Legislature of Alabama:

Section 1. In Houston County, jurors, grand and petit, shall each be entitled to \$10 for each day's service, ten cents for each mile traveled in going to and returning from court and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, and shall be payable out of the county treasury.

Section 2. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a



week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 26, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1856, 1857, 1858, 1875, 1931, 1932, 1933, 1934, 1935, 1936, 1937 and 1938. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Timmons, Meeks, Falkenburg, Dill and Parker (H):

H. 1531. To provide for and create the Jefferson County racing commission for the regulation, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the pari-mutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violations of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN OF INTENTION TO APPLY AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1971 FOR THE ADOPTION OF AN ACT WHICH WILL BE AS FOLLOWS:

### A BILL TO BE ENTITLED AN ACT

To provide for and create the Jefferson County Racing Commission for the regulation, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the pari-mutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for

other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Jefferson County Racing Commission is hereby created and established, and is vested with the powers and duties specified in this Act, and all other powers necessary and proper to enable it to execute fully and effectually the purposes of this Act. The Commission shall consist of five members—one to be appointed by the Jefferson County Commission—two to be appointed by the members of the Jefferson County Senate delegation and two to be appointed by the Jefferson County House of Representatives Delegation. The commissioners shall select from among their number, a chairman and a secretary. The secretary shall keep a record of all proceedings of the commission and shall preserve all books, maps, documents, papers, and records entrusted to the commission's care. The commission shall maintain an office in the City of Birmingham, Alabama, and may maintain branch offices elsewhere when the proper functioning of the commission's business so requires. A majority of the commission shall constitute a quorum for all purposes.

Section 2. The members of the commission shall be qualified electors not less than twenty-five years of age, who shall have resided in the county for the period of five years next preceding their appointment, and each shall hold office at the pleasure of the appointing officers, which term shall begin with the effective date of this Act. Each commissioner shall take the same constitutional oath of office as other county officers, and shall give bond payable to Jefferson County in the amount of five thousand dollars (\$5,000.00), conditioned that he will faithfully and properly perform the duties of his office. The premiums on such bonds shall be paid by the commission. The commission may employ such assistants and employees as may be necessary, and fix their compensation in such amounts as the county governing body may approve. A member of the commission must not be an official, member of any board of directors, or person financially interested in any race track or race meeting licensed by the commission, nor shall he race greyhounds in any race meeting licensed by the commission.

Section 3. The compensation of each member of the commission shall be one hundred dollars (\$100.00) per month. Said compensation shall be paid out of the funds in the county treasury deposited to the credit of the Jefferson County Racing Commission, and shall be paid to the commissioners in the same manner as the compensation of other county officers is paid.

Section 4. The probate judge of Jefferson County shall be ex-officio treasurer of the Jefferson County Racing Commission, and shall collect all the license fees, taxes, and monies provided in this Act, and shall supervise, check, and audit the operation of the pari-mutuel wagering pools and the conduct and distribution thereof.

Section 5. It shall be the duty of the Jefferson County Racing Commission to carry out the provisions of this Act; and it shall have the following specific duties:

- (1) To approve or disapprove the dates as submitted by the Licensee upon which race meetings may be held or operated.

- (2) To make an annual report to the county board of revenue or like governing body of its operation, showing its own actions and rulings, the receipts derived under the provisions of this Act, and such

suggestions as it may deem proper for the more effective accomplishment of the purpose of this Act.

(3) To require of each applicant seeking a license to operate a race meeting an application setting forth:

(a) The full name of the person, association, or corporation, and if the corporation, the name of the State under which the same is incorporated, and the name of the corporation's agents for service of process within the State of Alabama.

(b) If an association or corporation, the names of the stockholders and directors of the corporation or the names of the officers and directors of the association.

(c) The exact location where it is desired to conduct or hold a race meeting.

(d) Whether the racing plant is owned or leased, provided, however, that nothing in this Act shall prevent any person, association, or corporation from applying to the commission for a permit to conduct races where the racing plant has not been constructed.

(e) The kind of racing to be conducted and the dates requested.

(f) Such other information as the commission may require.

(4) To require an oath of every applicant, or by the president or executive officer of the association or corporation, stating that the information contained in the application is true.

(5) To make uniform rules and regulations governing the holding, conducting, and operating of all race tracks, race meetings, and races held in Jefferson County.

Section 6. All books, records, maps, documents, and papers of the commission, including those filed with the commission as well as those prepared by or for it, shall at all times be open for the personal inspection of any officer of the State of Alabama, or of the county, municipality within Jefferson County, or of any official investigative body or committee, and no person having charge or custody thereof shall refuse this right to any officer or investigative body or committee, and it shall be the express duty of such person to assist such officer or committee in locating records or information desired by them. Any member or employee of the commission who violates the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail not exceeding three months. If any member of the commission violates the provisions of this section, he shall be subject to removal from office.

Section 7. Any person, association, or corporation desiring to operate a race track in this county shall have the right, subject to the provisions of this Act, to hold and conduct one or more race meetings at such track each year provided that no such license shall be granted to any person, association or corporation, or to any track, for a period of not less than one hundred (100) racing days, and not more than one hundred fifty (150) racing days in any one year. Said dates shall not be required to be consecutive, and a racing day may include a matinee performance. No race or racing shall be permitted on Sundays. No minors shall be permitted to attend said races or be employed in any manner about said race track during the running of races except grooms and leadout boys and kennel, parking, kitchen, maintenance and office employees engaged in the performance of their assigned duties. Each

person in the above categories must be at least 16 years of age. None of the above minors shall be allowed in the parimutuel betting areas during the running of said races and each association shall be responsible for enforcing this rule.

Section 8. The Racing Commission may extend said limitations of time for greyhound racing not to exceed two (2) days at any one track beyond the period otherwise provided by law so that any such track may conduct a charity day of racing for any one or more recognized and established charitable institutions located within Jefferson County. For the purposes of this section, any institution of higher learning, including junior colleges and trade schools, shall be deemed to be charitable institutions. A portion of the proceeds available for the charitable purposes in an amount not less than twenty-five (25) percent may be paid over to and for the benefit of said charitable institutions of higher learning in said areas. The Racing Commission may extend said limitations of time for greyhound racing, in addition to the two (2) days heretofore provided, to an additional third day at each race track. The total of all profits derived from the operation of such racing on such charity days including all monies which would otherwise be received by the Racing Commission as taxes for such days' operations shall be and become a part of the charity trust fund for which such racing on such days is conducted.

In determining profits derived from such racing on such charity days, which profits shall include all taxes payable to the county or any agency thereof for such days' operations without the initial expense of operation allowance provided by law for greyhound tracks, said tracks shall only be entitled to deduct from the profits accruing from all receipts on such charity days of racing their actual operating costs, which costs shall be those expenses incurred by the race track solely by reason of holding said charity days of racing and shall not be deemed to include such expenses constant from day to day and which would have been incurred had the race on that day not been held, including, but not limited to, such items as capital expenditures, interest on debts, real estate taxes and annual license fees, donations, bad debts, and such other items of daily or pro rated expense as the racing commission may by rule prescribe.

Section 9. On or before the 1st day of October of each year, any person, association, or corporation possessing the qualifications prescribed in this Act shall have the right to apply to the commission for a permit or license to conduct race meetings and racing under this Act. On or before the first day of January of each year, after the receipt of any such application, the commission shall convene to consider and act upon all permits or licenses applied for. Approved permits or licenses shall be granted for a period of not less than one (1) year from the date of issuance and shall set forth, in addition to any other information prescribed by the commission, the name of the licensee, the location of the race track, the duration of the race meeting and the kind of racing desired to be conducted, and shall show the receipt by the commission of a performance bond in the amount of fifty-thousand (\$50,000.00) dollars to guarantee the operation of said race meeting. No such license shall be transferable, nor shall it apply to any other place, track, or enclosure except the one specified in this license.

Section 10. The commission may revoke the license of any licensee conducting a race meeting, upon the violation of any of the provisions of this Act, or any of the provisions of this Act, or any rule or regulation, promulgated by the Commission.

Section 11. The commission is empowered to compel the production of any and all books, memoranda, or documents showing the receipts and disbursements of any person, association or corporation licensed to conduct race meetings under the provisions of this Act. The commission may, at any time, require the removal of any employee or official employed by any licensee hereunder whenever it has reason to believe that such employee or official is guilty of any improper practice in connection with racing, has failed to comply with any condition of the license, or has violated any rule adopted by the commission. The commission shall have the power to require that the books and financial or other statements of any licensee be kept in a manner and method provided by the commission; and the commission shall be authorized to visit, investigate, and place auditors and inspectors in the offices, tracks, or place of business of any person, association or corporation licensed under this Act. The commission shall have power to summon witnesses before its meetings; to administer oaths to such witnesses, and to require testimony on any issue before it. Any person failing to appear before said commission, or failing to produce books, records, and documents ordered, or refusing to testify thereon, shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment not to exceed six (6) months, or by both fine and imprisonment in the discretion of the court.

Section 12. The commission shall have the power to grant, refuse, suspend, or withdraw licenses to all persons connected with race tracks, including gatekeepers, announcers, ushers, starters, officials, drivers, greyhound owners, agents, trainers, grooms, stable foremen, exercise boys, veterinarians, valets, sellers of racing forms or bulletins, and attendants in connection with the wagering machines, pursuant to such rules and regulations as the commission may adopt and upon the payment of a license fee as fixed and determined by the commission in accordance with the position and compensation of such person. Any license may be revoked by the commission, for good cause shown, and any person whose license is revoked shall be ineligible to participate in such occupation connected with racing unless the license is returned by the commission with permission to operate thereunder. The commission may deny or revoke a license to any person who has been refused or denied a license by any other state racing commission or racing authority.

Section 13. The commission shall make rules governing, permitting, and regulating the wagering on greyhound races under the form of mutuel wagering by patrons known as "Pari-Mutuel Wagering," which method shall be legal to the extent that, and so long as, the same is carried on and conducted strictly in conformity with this Act, and not otherwise. Only the persons, associations or corporations receiving a license from the commission shall have the right or privilege to conduct this type of wagering and the licenses shall restrict and confine this form of wagering to a space within the race meeting grounds. All other forms of wagering on the results of greyhound races shall continue to be illegal, and any or all wagering outside of the enclosure of such races, where such races shall have been licensed by the commission, shall be illegal.

No person or corporation shall directly or indirectly purchase pari-mutuel tickets or participate in the purchase of any part of a pari-mutuel pool for another for hire or for any gratuity and no person shall purchase any part of a pari-mutuel pool through another, wherein he gives or pays directly or indirectly such other person anything of value. Any person violating this section shall be deemed guilty of a

misdemeanor, and, upon conviction in a court of competent jurisdiction, shall be punished by a fine of not more than five-hundred dollars (\$500.00), or by imprisonment not to exceed six months, or both fine and imprisonment in the discretion of the court.

Section 14. Every licensee conducting race meetings under the provisions of this Act, shall pay to the probate judge in his capacity as ex officio Treasurer of the Racing Commission of Jefferson County, Alabama, for the use of the Commission, the following sums per single performance:

Mutual Handle	Fixed License Fee
\$ 0-\$ 25,000.00	\$ 500.00
\$25,000.00-\$ 50,000.00	\$1,000.00
\$50,000.00-\$ 75,000.00	\$1,500.00
\$75,000.00-\$100,000.00	\$2,000.00

All pari-mutuel handle exceeding \$100,000.00 on a single performance the licensee shall pay a sum equal to six percent (6%) of the total contributions to such parimutuel pools conducted or made on any race track licensed under this Act. The commission of a licensee on a parimutuel pool shall in no event exceed seventeen percent (17%) of the amount contributed thereto, which amount shall include the six percent (6%) tax heretofore provided. After the deduction of seventeen percent (17%) for the use of the commission and the percentage commission of the licensee, the remainder of the total contributions to each pool shall be divided among and redistributed to the contributors to such pools betting on the winning greyhound. The amount of each redistribution for each winning bet placed shall be determined by dividing the total amount remaining in the pool after the deductions hereinabove provided for by the number of bets placed on the winning greyhound. Each redistribution shall be made in a sum equal to the next lowest multiple of ten. The licensee is entitled to retain the odd cents of all redistributions to be known as the "breaks to a dime," and monies represented by any unclaimed uncashed, or abandoned parimutuel tickets known as "outs" money. Under the pari-mutuel system of wagering herein provided, the licensee shall be permitted to provide separate pools for bets to win, place, and show, also a daily double pool, quiniela pool, perfecta pool, big quiniela pool (Big Q), big perfecta pool (Big P), twin double pool, tierce pool, perfecta tierce pool, and big tierce pool (Big T). Each pool shall be redistributed separately as herein provided. Should there be no ticket bet on the winning greyhound, the entire pool will be divided among the holders of tickets on the greyhound running next in line until the pool has been redistributed to the contributors. The licensee shall be required to use a totalizator machine to record the wagering and compute the odds. Rules and regulations governing the operation of each of the pools shall be set out in book form by the Jefferson County Racing Commission. The licensee shall collect from each person attending the race meeting under the provisions of this Act ten percent (10%) of the established admission price or five cents (5¢) whichever sum is the greater, as an admission tax. Licenses shall make payment of such taxes every seventh racing day or any and every race meeting, which payment shall be accompanied by a report on the races covered by such report and such other information as the commission may require.

Section 15. Greyhound Racing; Daily Operation Cost Allowance. It is recognized that pari-mutuel wagering at greyhound tracks will produce substantial income to the State and County through taxes, and that it is in the best interests of the State and County that the business interests of operators should not be taxed to an extent as to cause a

track which is operated under sound business principles to be forced out of business. It is therefore recognized that greyhound racing tracks incur a daily initial expense of operation created by certain factors which remain relatively uniform and constant throughout a race meeting. When the mutual handle of any licensed greyhound track holding a permit to conduct racing in Jefferson County under the authority of this statute in accordance with the rules and regulations of the Jefferson County Racing Commission, exceeds \$100,000.00 such greyhound track is authorized to withhold from the total maximum commission of seventeen percent (17%) that may be withheld from the total amounts contributed to pari-mutuel pools on greyhound races, the sum of Seventy Dollars (70.00) per race, which said amount shall be credited to the greyhound track operators as a daily "initial expense of operation." No tax shall be levied or collected on said \$70.00 per race so withheld, and all taxes imposed by this Act, or by any other act of the legislature, shall be imposed upon the 17% of total amounts contributed to any pari-mutuel pools at greyhound tracks less the above-described \$70.00 "initial expense of operation" amount per race. The daily "initial expense of operation" allowance shall be deducted from the 17% commission prior to any tax being imposed on said pool, and said allowance shall be credited to the track operator.

All allowances granted by this section to the track operator known as the "initial expense of operation" allowance, shall appear on the report tendered by the licensee as provided by this Act, and shall be shown on the tax report submitted by the licensee to the Jefferson County Racing Commission, in accordance with the rules and regulations of the Jefferson County Racing Commission.

Nothing in this section shall be construed so as to allow any greyhound track in this State an "initial expense of operation" allowance as provided herein for any day on which races may be held for the benefit of educational scholarships or charitable organizations.

Whenever the mutual handle of any greyhound track is less than \$100,000.00 such greyhound track shall not receive any daily initial cost of operation allowance and such greyhound track shall be taxed in accordance with the fixed license fee set out in Section 14 above.

Section 16. If any free passes or complimentary cards shall be issued to guests by any licensee, such licensee shall nevertheless be responsible for payment of the admission tax upon such complimentary admission cards or passes as though they had been sold at the regular admission price. However, nothing herein contained shall be construed to prohibit the issuance of tax-free passes to officials and actual employees of the licensee, or other persons actually engaged in working at such track, including persons actually employed and accredited by the press or other news service; provided, that the issuance of all such tax-free passes shall be governed by the regulations and orders of the commission and a list of all such officers, employees, and news service representatives shall be filed with the commission.

Section 17. The license fees, commissions, and other taxes imposed herein shall be in lieu of all license fees, commissions and other taxes to the State of Alabama, or any county, city, town, or other political subdivision thereof.

Section 18. All fees, commissions, taxes, and other monies, including fines, and forfeitures, received under the provisions of this Act shall be paid to the probate judge of the county, and remitted by him to the county treasurer for deposit in the county treasury to the account of the Jefferson County Racing Commission. All such monies remaining after payment of the expenses incurred in the ad-

ministration of this Act, including the payment of the salaries and expenses of the members and employees of this commission shall be distributed as follows: for Health, safety, education and the public welfare of the citizens of Jefferson County. The distribution of the revenue is to be made by the Jefferson County House and Senate delegation at each regular session of the legislature.

Section 19. Any corporation, association, or person who directly or indirectly holds any greyhound race without having procured a license as prescribed in this Act, shall be guilty of a misdemeanor. Any person wagering upon the results of such a race, except in the parimutuel or mutuel method of wagering when the same is conducted by a licensee and upon the grounds or enclosure of said licensee, shall be guilty of a misdemeanor. Any corporation, organization, association, or person who violates any provision of this Act, for which a Penalty is not expressly provided shall be guilty of a misdemeanor. Upon conviction of any of the above misdemeanors in a court of competent jurisdiction, the penalty shall be a fine of not less than one-hundred dollars (\$100.00), nor more than one-thousand dollars (\$1,000.00), or by imprisonment of not less than five days nor more than six months, or both, such fine and imprisonment to be in the discretion of the court.

Section 20. No person who engages in the practice of professional gambling on greyhound races, or in the practice of making gambling or wagering books on such races, or who knowingly takes any part in such practices, shall be eligible as an applicant for any license or permit to operate a race track or a race meeting under the provisions of this Act, or to be connected therewith in any capacity; and any association or corporation which has as an officer, director, stockholder, executive, or employs any person who engages in such practices shall likewise be ineligible as a licensee, and the commission is hereby empowered to inquire into such matters in entertaining any such applications and otherwise in administering this Act.

Section 21. Any person who shall influence or have any understanding or connivance with any owner, groom, or other person associated with or interested in any kennel, greyhound, or race in which any greyhound participates, to prearrange or predetermine the results of any such race, or any person who shall stimulate or depress a greyhound for the purpose of affecting the results of a race, shall be guilty of a felony and upon conviction thereof, shall be imprisoned in the state prison for not less than one year nor more than ten years, or shall be fined not less than one-thousand dollars (\$1,000.00) nor more than five-thousand dollars (\$5,000.00) or both, in the discretion of the court.

Section 22. It shall be unlawful for any person to transmit or communicate to another by any means whatsoever, the results, changing odds, track conditions, or any other information relating to any greyhound race from any race track in this county, between the period of time beginning one hour prior to the first race of the day and ending thirty minutes after the posting of the official results of each race, as to that particular race, except that this period may be reduced to permit the transmitting of the results of the last race each day not sooner than fifteen minutes after the official posting of such results. Provided, however, that the commission may, by rule, permit the immediate transmission by radio, television, or press wire of any pertinent information concerning feature races.

It shall be unlawful for any person to transmit by any means whatsoever racing information to any other person, or to relay the same to any other person by word of the same to any other person



by word of mouth, by signal, or by use of telephone, telegraph, radio, or any other means, when the information is knowingly used or intended to be used for illegal gambling purposes, or in furtherance of such gambling purposes.

Any person violating the provisions of this section shall be guilty of a felony and, upon conviction, shall be imprisoned in the state penitentiary for not less than one year nor more than ten years, or shall be fined not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00), or both, in the discretion of the court.

Section 23. At least eighty-five percent (85%) of the employees of persons, firms, associations, or corporations operating any race meeting or race track in Jefferson County under the provisions of this Act shall be bona fide residents and inhabitants of Jefferson County.

Section 24. The county governing body of Jefferson County shall call and provide for holding a referendum for the purpose of determining if this Act shall become operative. The referendum shall be held on the same day as the next general, special, or primary election in the County, and shall be advertised, held, conducted and the results thereof canvassed in the manner provided by law for advertising, holding, and canvassing county bond elections. The question to be voted on shall be stated on the ballots or voting machine tabs substantially as follows: "Do you favor the creation of the Jefferson County Racing Commission to regulate licensing and supervision of greyhound racing and wagering thereon as provided in Act No. \_\_\_\_\_ approved \_\_\_\_\_, 197 \_\_\_\_?" If the majority of the votes cast in the referendum are "Yes," greyhound racing shall be legal in Jefferson County and this Act shall become operative therein; if the majority of the votes cast in the election are "No," this Act shall have no further effect. The probate judge of Jefferson County shall certify the results of the referendum to the Secretary of State of Alabama within thirty (30) days after the election returns are canvassed.

Section 25. If any provision, paragraph or part of this Act shall be declared invalid, unconstitutional, or void, the balance of said Act shall remain in full force and effect.

Section 26. All laws or parts of laws in conflict with this Act are repealed.

Section 27. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in

the issues of June 19, 26, July 3, 10, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 12th day of July, 1971.

KAREN W. ABERCROMBIE,  
Notary Public.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1531. To the Committee on Local Legislation No. 2.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Connell and Crawford:

H. 1939. Relating to Houston County; to provide an additional and alternative method of assessing, paying taxes on, and issuing license tags for motor vehicles.

With notice and proof thereto attached and herewith exhibited as follows:

### A BILL TO BE ENTITLED AN ACT

Relating to Houston County; to provide an additional and alternative method of assessing, paying taxes on, and issuing license tags for motor vehicles.

Be It Enacted by the Legislature of Alabama:

Section 1. On or after September 1st of each year, the judge of probate of Houston County may, if he elects to do so, mail an application in the form and containing the information hereinafter provided to all owners of motor vehicles listed as such in the motor vehicle license records (including transfers) in his office or, at his option, to such owners as request that such application be mailed to them.

Section 2. The application shall be on a form to be provided by the state department of revenue. The application form shall contain a space for his name and address of the owner of the motor vehicle and the make, model, year and motor number of his motor vehicle and such other information with respect thereto as the state department of revenue may prescribe. The application form shall also contain a space for the correct amount of ad valorem taxes (state, county, school districts and municipal) and the amount of the motor vehicle license tax due thereon and the issuance fee including the mailing fee provided for by this Act. The application form shall also contain a space

for the owner to fill in his present address, if different from that shown in the application form, and a space for his signature.

Section 3. At the request of the judge of probate, the tax assessor shall cause the application form to be filled in with the name and address of the owner, the description of the motor vehicle and the license tax and fees to become due on November 15 succeeding, as shown on the license registration and transfer records in his office. The tax assessor shall cause to be correctly filled in thereon the amount of ad valorem taxes on said motor vehicle for the preceding tax year as provided by Title 51, Section 704, Code of Alabama of 1940. The judge of probate shall thereupon cause the application, so filled in, to be mailed to the owner of the motor vehicle at his address shown thereon or at the address to which such owner requests that the application form be mailed.

Section 4. The owner of the motor vehicle shall, if he is still the owner of the motor vehicle and if he desires to pay his motor vehicle ad valorem taxes and license tax and secure his motor vehicle registration tag by mail, sign the application form indicating thereon any change of address, and return the same by mail together with his remittance for ad valorem taxes, license taxes and fees as shown thereon to the judge of probate. Money orders for the payment of such taxes and fees shall be made payable to the judge of probate. Upon receipt of the signed application form and the remittance for the amount properly due for ad valorem taxes, license tax and fees, the judge of probate shall pay over to the tax collector the amount of ad valorem taxes. The tax collector shall verify the correctness of ad valorem taxes paid. The judge of probate shall thereupon mail a receipt for such taxes and fees and the license tag for his motor vehicle to the owner thereof.

Section 5. When an application is returned to the judge of probate unsigned or when less than the correct amount of the taxes and fees due therefor has been paid, due to a change of address or other causes, such application shall be returned to the owner for correction or for signature. A return of such application of remittance shall not, however, extend the time within which taxes may be paid or a tag secured. If more than the correct amount of taxes and fees is received, the judge of probate shall retain the correct amount of taxes and fees and return the excess together with the tag for the motor vehicle.

Section 6. All applications for motor vehicle tags by mail and the correct amount of taxes and fees shall be received by the judge of probate on or before November 10th preceding the November 15th on which the motor vehicle license tag is due and payable, and the judge of probate shall mail such tag on or before November 14th preceding such November 15th.

Section 7. The judge of probate shall charge and collect an additional fee of one dollar for each motor vehicle license tag issued by mail. This fee shall be paid with the mailed request for license tags. Such additional fee shall be paid by the judge of probate into the county treasury and the actual expense of mailing application forms to the owners of motor vehicles and of mailing tags as hereinabove provided shall be paid from the county treasury upon warrant signed by the judge of probate and approved as provided by law.

Section 8. All the forms necessary in the administration of this Act shall be furnished by the state department of revenue.

Section 9. The procedure authorized by this Act for the payment of ad valorem taxes and motor vehicle license taxes and the issuance

of license tags is optional, additional and alternative to the procedure now provided by law. Each owner of a motor vehicle shall continue to have the right to pay taxes and to receive his tag in person without the payment of any of the additional fees hereinabove provided. No judge of probate shall be required to collect taxes and issue license tags by mail unless he elects so to do.

Section 10. In the event motor vehicles are assessed for ad valorem taxes and the motor vehicle license taxes are paid to and tags issued by a commissioner of licenses or other like officer or officers such commissioner of licenses or other officer or officers shall have the rights and options and perform the respective duties imposed by this Act upon the judge of probate, tax assessor and tax collector.

Section 11. This Act shall become effective September 1, 1971.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 27, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1940. Relating to Houston County; regulating the compensation of registrars and providing for payment of additional compensation to them by the county.

With notice and proof thereto attached and herewith exhibited as follows:

##### STATE OF ALABAMA COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Houston County; regulating the compensation of registrars and providing for payment of additional compensation to them by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the board of registrars of Houston County shall receive \$10 per day to be paid by the state, and \$5 per day to be paid by the county, to be disbursed on order of the judge of probate for each day's attendance of the registrar upon the sessions of the board.

Section 2. This Act shall become effective September 1, 1971.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 27, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1941. To apply to the 20th Judicial Circuit composed of Houston and Henry Counties, relating to additional compensation and method of payment of the official court reporters.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To apply to the 20th Judicial Circuit composed of Houston and Henry Counties, relating to additional compensation and method of payment of the official court reporters.

Be It Enacted by the Legislature of Alabama:

Section 1. The Official Court Reporters of the 20th Judicial Circuit, composed of Houston and Henry Counties, shall receive in addition to all other compensation provided by law an additional compensation of \$600.00 each per annum, which shall be payable in equal monthly

installments, each County to pay its pro rata of such salary based upon the assessed value of all taxable property of such county for the preceding year on certificates issued by the Presiding Judge of the Circuit in favor of such reporter for the amount due by the County each month.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 26, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1942. To amend the title and Section 1 of Act No. 390, H. 904, Regular Session 1963 (Acts 1963, p. 891), which authorizes domino games in billard rooms in certain counties classified on a population basis.

With notice and proof thereto attached and herewith exhibited as follows:

#### A BILL TO BE ENTITLED AN ACT

To amend the title and Section 1 of Act No. 390, H. 904, Regular Session 1963 (Acts 1963, p. 891), which authorizes domino games in billard rooms in certain counties classified on a population basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 390 H. 904, Regular Session 1963 (Acts 1963, p. 891), is amended to read as follows:

"To amend Title 14, Section 246, Code of Alabama 1940 so as to authorize domino games in billiard rooms in counties having a population of not less than 56,500 nor more than 59,000"

Section 2. Section 1 of said Act No. 390, H. 904, is amended to read as follows:

"Section 1. Title 14, Section 246, Code of Alabama 1940 is amended to read as follows:

'Section 246. No dice, cards, dominoes, or other games of chance shall be permitted, or any form of gambling allowed in any billiard room, or in any room in which billiard tables are located, or in any cigar store, or other business located in the same room; and no game prohibited by law shall be played in such premises, and it is expressly provided that such games as are now known as Kelly pool, keno, star pool, scrub and similar gambling devices are expressly prohibited, and that no racing or other betting pool shall be exhibited, permitted or sold in such place of business, and that no intoxicating liquors shall be sold, served or allowed to be used in or on the premises. Provided, however, in counties having populations of not less than 56,500 nor more than 59,000, according to the 1970 or any subsequent federal decennial census, domino games shall be lawful in billiard rooms, or other rooms in which billiard tables are located.'

Section 3. This Act shall become effective September 1, 1971.

### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 27, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1943. Relating to Houston County; to increase the compensation of the members of the jury commission.

With notice and proof thereto attached and herewith exhibited as follows:

#### A BILL TO BE ENTITLED AN ACT

Relating to Houston County; to increase the compensation of the members of the jury commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the jury commission of Houston County shall be paid fifteen dollars (\$15) per diem for the time actually engaged in the discharge of his official duties, but shall not be paid for more than 60 days each year. This compensation shall be paid from the

general funds of the county upon the warrant of the probate judge of the county. Such warrants are to be issued by the probate judge upon evidence satisfactory to him that such service has been rendered.

Section 2. This Act shall take effect September 1, 1971.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 26, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 1944. To provide for the compensation and method of payment of the Clerk of the Circuit Court of Houston County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

##### STATE OF ALABAMA COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To provide for the compensation and method of payment of the Clerk of the Circuit Court of Houston County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Houston County, Alabama, only. The Clerk of the Circuit Court of said County shall be entitled to an annual salary of seven thousand dollars (\$7,000), payable in equal monthly installments from the general funds of said county on warrants drawn in the manner prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.



## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 27, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Mr. Connell:

H. 1945. To repeal Act No. 1241, H. 1540, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2342), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for the compensation of the clerk of the circuit court in such counties."

Also:

By Messrs. Connell and Crawford:

H. 1946. To repeal Act No. 583, S. 647, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1069), entitled, "An Act To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census."

Also:

By Messrs. Connell and Crawford:

H. 1947. To repeal Act No. 557, H. 1130, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1039), entitled, "An Act Regulating the compensation of registrars of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for payment of additional compensation to them by the county."

Also:

By Messrs. Connell and Crawford:

H. 1948. To repeal Act No. 912, H. 1298, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1643), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to increase the compensation of the members of the jury commission in such counties; to repeal conflicting laws."

Also:

By Messrs. Connell and Crawford:

H. 1949. To repeal Act No. 394, H. 1017, approved August 12, 1969, Regular Session 1969 (Acts 1969, p. 770), entitled, "An Act To regulate the compensation of jurors in counties having populations of not less than 50,000 nor more than 54,000."

Also:

By Messrs. Connell and Crawford:

H. 1950. To repeal Act No. 805, H. 1016, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1449), entitled, "An Act Relating to additional compensation paid official court reporter in all circuits composed of two counties, having two circuit judges, and in which one county having a population of not less than 50,000 nor more than 51,000 according to the most recent federal decennial census."

Also:

By Messrs. Connell and Crawford:

H. 1951. To repeal Act No. 558, H. 1131, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1040), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department in such counties; to authorize the county governing body to prescribe the exact amount of such salaries; to repeal conflicting laws."

Also:

By Messrs. Connell and Crawford:

H. 1952. To repeal Act No. 555, H. 1128, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1038), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to provide for the compensation of the judge of probate in such counties; to repeal conflicting laws."

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951 and 1952. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 148. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, August 17, 1971.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Pelham, the Rules were suspended and the Resolution, H. J. R. 148, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Bowers, Adwell, Boles, Boutwell, Casey, Cherner, Dill, Doss, Ellis, Erdreich, Falkenburg, Gafford, Gloor, Jones (E), Jones (F), Lyons, McBride, Meeks, Parker (H), Timmons, Waggoner, Wallace, Weeks:

#### H. J. R. 145. CREATION OF A FINE ARTS HIGH SCHOOL

WHEREAS Governor Lurleen Wallace, from her deep and abiding interest in the cultural development of our State, expressed her desire for the creation of a Fine Arts High School, for the education of the youth of Alabama who show exceptional talent in the Arts; and

WHEREAS for the past four years, such a school has been operated as a pilot project by a group of dedicated Alabama citizens, with James Hatcher as chairman and Mrs. David Roberts, III, as finance chairman; and

WHEREAS State sponsorship is necessary for the continued services so vital to the needs of our talented youth; and

WHEREAS, due to limitation of student body to those with career potential and availability of quality professional arts staff limit the State to one such career curriculum; and

WHEREAS the location of such a school could only be in the city in which is located the state's only professional symphony, the state's largest museum, the state theatre and the state ballet; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That formal recognition of the Alabama High School of the Fine Arts be given by both Houses of the Legislature of the State of Alabama, and that the State Superintendent of Education, with the consent of the Governor, appoint a Board of Directors for the Alabama High School of the Fine Arts.

BE IT FURTHER RESOLVED, That said Board of Directors shall be composed of eleven citizens of good standing who have shown themselves to be exponents of the cultural advancement of our youth; that Mrs. David Roberts, III, and James Hatcher shall be life members of the committee; and that one member of the committee shall be a member of the professional arts staff of the State Department of Education, and that one member shall be a member of the professional

staff of the Birmingham Board of Education; and that the committee shall be charged with the administration of the school.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 145, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Culver:

H. J. R. 118. TO CREATE A JOINT INTERIM COMMITTEE TO STUDY OPERATIONS OF THE ALCOHOLIC BEVERAGE CONTROL BOARD.

WHEREAS it is believed necessary and desirable that the legislature should make a comprehensive and detailed study of the operations of the Alcoholic Beverage Control Board; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to make an overall study of every phase of the operations of the Alcoholic Beverage Control Board. Such committee shall be composed of eight members of the House to be appointed by the Speaker of the House from each of the Congressional Districts of the State, as such districts are now constituted, and four members of the Senate to be appointed by the Lieutenant Governor. The Speaker of the House and the Lieutenant Governor shall be ex officio members of the committee. The committee shall elect a chairman and a vice chairman from among its members.

The Committee shall have the right to question any member or employee of the Alcoholic Beverage Control Board, any agent or any person, firm, partnership, association or corporation doing business with the Alcoholic Beverage Control Board and to examine any of their books or records. Any employee who fails to appear before the committee, when so requested by the committee, shall be subject to dismissal; and any person, firm, partnership, association or corporation doing business with the Alcoholic Beverage Control Board who fails or refuses to comply with the board's request to appear and answer questions or to produce any books, papers or other records, shall have his or its license revoked and products delisted.

Said committee shall consider, among other phases of its study, the feasibility of the abandonment of the current system of selling alcoholic beverages through State systems, of introducing an alternate system or of providing for such sales by means of private enterprise, subject to taxation, regulation and enforcement by the State.

Members of the committee shall be entitled to their regular legislative pay and per diem for each day actually engaged in the work of the committee. The expenses of the committee shall be paid from funds appropriated to the use of the legislature on warrants drawn by the State Comptroller upon requisitions signed by the committee chairman, provided the total amount so expended shall not exceed ten thousand dollars (\$10,000).

The committee shall make a final report of its findings, conclusions and recommendations at any special session of the legislature during this biennium, but not later than the tenth legislative day of the next regular session, whereupon the committee shall be dissolved.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The Resolution, H. J. R. 118, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. J. R. 142. WHEREAS, another milestone has been added to the achievements of America and Huntsville's Marshall Space Flight Center with the successful use of a four-wheeled transportation unit to explore the mountains of the moon. Successes succeed successes in America's space program with each new mission and, moreover, knowledge expands—and kindles the American spirit for greater knowledge. It is not merely the question of national pride, nor of glory in achievement, nor the challenge of a new frontier, nor even the necessity of having a surpassing space capability as a means of national defense in an area of obvious military possibilities. It is the compelling need for knowledge which is the basic justification for the adventures in space—knowledge which can fortify humankind for the unknowns of the future. As knowledge grows on knowledge, practical benefits on earth multiply almost unnoticed; and

WHEREAS, Alabama has stood at the forefront of America's scientific quest for knowledge through the leadership of the Marshall Space Flight Center throughout a decade of achievement. It was entirely fitting that when on August 7, 1971 Apollo 15 Astronauts David Scott and James Irwin cancelled America's new space achievement postage stamp at a makeshift "postoffice" on the moon, it was at Huntsville's Marshall Space Flight Center that the most popular stamp ever printed received its official "earth" dedication by Postmaster General Winton M. Blount on its first date of issue; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body takes immeasurable pride in Alabama's leadership in America's quest for knowledge, signified through a decade of space achievement. We salute and support America's space program, looking toward a new decade in space which will extend still further the frontiers of knowledge in the same spirit of discovery and determination for achievement which has brought our nation to the proud position of the greatest of all nations.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the President of the United States, the Director of the National Aeronautics and Space Administration, the Director of the Marshall Space Flight Center, the Alabama Space and Rocket Center, and the Postmaster General.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 142, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Lyons, Hale, Lutz, Grainger, and Hearn:

H. J. R. 140. COMMENDING ASTRONAUTS SCOTT, IRWIN AND WORDEN FOR THE SUCCESS OF THE APOLLO 15 FLIGHT.

WHEREAS the flight of Apollo 15 has been termed by leading astrophysicists to be the most valuable and most comprehensive scientific mission ever accomplished; and

WHEREAS astronauts David R. Scott and James B. Irwin collected invaluable information while covering extensive areas of the surface of the Moon, during which time astronaut Alfred Worden took high quality photographs and instrument readings from the command ship, "Endeavour", while in lunar orbit; and

WHEREAS the immense variety of materials and information collected by the Apollo 15 team is expected to make it possible to understand and possibly control such events as earthquakes, to discover hidden resources inside the Earth and to harness untapped reserves of geothermal energy; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend astronauts Scott, Irwin and Worden for their most successful mission and assure them that we are most grateful to them for their invaluable contributions to science and humanity.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to astronauts David R. Scott, James B. Irwin and Alfred Worden.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 140, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Jones (F):

H. J. R. 139. WELCOMING THE FREE CHINESE PING PONG TEAM TO THE UNITED STATES

WHEREAS the Free Chinese Ping Pong Team is currently in the United States on a most successful good will tour of the United States; and

WHEREAS this attractive group of skilled young players has not only exhibited the finest sportsmanship throughout its successful participation in this highly competitive sport which requires intensive concentration and individual effort, but the personal charm of its individual members and clear adherence to high principles is characteristic of the people they represent; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama most cordially welcomes the Free Chinese Ping Pong Team to the United States, and assures these ambassadors of good will that this State stands with Nationalist China in its desire to maintain its freedom and independence.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 139, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Dill:

H. J. R. 146. PROVIDING FOR CONTINUATION OF THE JOINT COMMITTEE ESTABLISHED BY H. J. R. 107, ACT NO 483, APPROVED SEPTEMBER 6, 1957, TO STUDY THE PROBLEMS INVOLVED IN THE PRODUCTION AND PROCESSING OF COTTON.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the joint committee established pursuant to H. J. R. 107, Act No. 483, approved September 6, 1957 (Acts of 1957, p. 667) shall continue in existence and shall continue its work as directed in said Act No. 483, provided that the members of the committee shall be elected by the respective houses as provided in Act No. 483. The committee shall make a report to the Legislature on or before the fifth legislative day of the 1973 Regular Session.

RESOLVED FURTHER, That the Lieutenant Governor of Alabama, the Speaker of the House of Representatives and the Commissioner of Agriculture and Industries shall serve as ex officio members of the committee.

RESOLVED FURTHER, That the committee is authorized to meet thirty days in addition to the meeting days heretofore provided for, and each member of the committee shall be entitled to compensation and expenses as provided for in said Act No. 483, provided, however, that the total per diem pay, expense allowances, travel allowances and all other expenses incurred by the committee in any fiscal year shall not exceed \$5,000.00, anything in said Act No. 483 of 1957 or in S. J. R. No. 4 of the First Special Session of 1959 or in Act No. 381 of the 1967 Regular Session, or hereinabove to the contrary notwithstanding.

AND RESOLVED FURTHER, That any provision of said H. J. R. 107, Act No. 483, of 1957, Act No. 7, S. J. R. 4 of the First Special Session

1959, or Act No. 381 of the 1969 Regular Session and of any other resolution in conflict with this resolution are hereby rescinded.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 146, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Crowe:

H. J. R. 147. PROCLAIMING OCTOBER 10, 1971 AS HONEY SUNDAY

WHEREAS the health and welfare of all Alabamians are important to the dynamic growth of the State; and

WHEREAS mental retardation is recognized as a problem of more than one hundred thousand Alabama children and adults; and

WHEREAS the Alabama Jaycees are an organization of young men who have demonstrated a compassionate interest in the mentally retarded and have, therefore, embarked upon a program to provide funds for State and local mental retardation projects, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Sunday, October 10, 1971, be proclaimed as Honey Sunday in Alabama, and we do call upon all Alabamians to support this program and especially do we call upon Alabama Jaycees and all others connected with mental retardation projects, programs and institutions to give every effort to insure complete success of this most worthy and worthwhile project.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 147, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 117. Commending the Alabama Cattlemen's Association.

Also:

H. J. R. 119. Demanding proper operation of railroad yards.

Also:

H. J. R. 121. Commending Army Sergeant John F. Cannon of Pell City upon winning the Bronze Star in Vietnam.



Also:

H. J. R. 130. Resolution to Recognize the Muskogee (Creek) Indian Nation and the Chief Thereof.

Also:

H. J. R. 125. Mourning the death of Robert W. Brasington.

Also:

H. J. R. 126. Commending Madison County Commission on winning certain national awards.

Also:

H. J. R. 129. Naming the New Agriculture and Industries Building the "Richard Beard Building".

Also:

H. J. R. 132. Naming a medical research building in the University of Alabama Medical Center the "Rebel and Sophie Zeigler Medical Research Building".

Also:

H. J. R. 137. Naming the Administration Building at Gadsden State Technical Trade School as the E. N. Prater Building.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 404. To provide additional compensation for the official Court reporters of all judicial circuits composed of only one county having a population of not less than 110,000 nor more than 150,000, according to the most recent federal decennial census.

Also:

S. 731. Relating to the provisions of clerks, equipment and supplies for the Probate Judge, Sheriff, Tax Assessor and Tax Collector in counties having a population of not less than 39,500 nor more than 41,750 according to the last federal census.

Also:

S. 733. To provide that certain cities classified according to population, may abate or reduce assessments made for public improvements.

Also:

S. 816. Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in Barbour County.

Also:

S. 817. Providing an expense allowance for the tax assessor of Barbour County.

Also:

S. 818. Relating to Barbour County; To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 819. To authorize the Barbour County Commission to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Barbour County.

Also:

S. 820. Providing further for the compensation and allowances of jurors in Barbour County.

Also:

S. 821. Providing an additional deputy circuit clerk for Barbour County.

Also:

S. 822. Providing an expense allowance for the probate judge of Barbour County.

Also:

S. 823. Relating to Barbour County; providing an additional expense allowance for the judge of probate of said county for the ex officio duties performed by him as judge of the county court.

Also:

S. 824. Providing clerk hire allowances for probate judges of Barbour County.

Also:

S. 838. To repeal Act No. 901, H. 1268, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an additional deputy circuit clerk for such counties, and repealing conflicting laws." (Acts of Alabama 1969, p. 1627).

Also:

S. 837. To repeal Act No. 87, S. 208, approved July 15, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 419).

Also:

S. 836. To repeal Act No. 122, H. 359, approved July 31, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 460).

Also:

S. 835. To repeal Act No. 900, H. 1267, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; and providing an expense allowance for the probate judge of such counties," (Acts of Alabama 1969, p. 1626).

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 842. To repeal Act No. 13, S. 66, approved September 21, 1965, entitled, "An Act To amend Act No. 525, S. 356 of the Regular Session of 1961, so as to increase the additional compensation provided for members of the county governing body in all counties having populations of not less than 24,600 nor more than 25,300 according to the most recent federal decennial census," (Acts of Alabama 1965, p. 25).

Also:

S. 843. To repeal Act No. 12, S. 65, approved September 21, 1965, entitled, "An Act Relating to counties having a population of not less than 24,600 nor more than 25,300; providing for the payment of an expense allowance to the judge of the court of common pleas in any such county," (Acts of Alabama 1965, p. 25).

Also:

S. 844. To repeal Act No. 83, S. 132, approved July 15, 1967, entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act," (Acts of Alabama 1967, p. 414).

Also:

S. 845. To repeal Act No. 125, H. 175, approved July 16, 1962, entitled, "An Act To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to

regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties." (Acts of Alabama 1962, p. 164).

Also:

S. 918. To regulate the compensation of jurors in counties having populations of not less than 23,900 nor more than 24,450.

Also:

S. 913. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, abolishing the office of county or deputy solicitor in such counties and conferring the duties of such office upon the district attorney.

Also:

S. 914. Relating to counties having a population of not less than 23,900 nor more than 24,450 and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

Also:

S. 915. To repeal Act No. 88, H. 208, Second Special Session 1965 (Acts 1965 Second Special Session v. 1, p. 118) an Act to prescribe the duties of the county solicitor or the prosecutor of the inferior courts, including the intermediate courts, of counties having populations of not less than 21,900 nor more than 22,300 according to the most recent or any subsequent federal decennial census.

Also:

S. 919. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, providing additional expense allowances for members of the county board of education.

Also:

S. 920. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Also:

S. 921. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; authorizing the sheriff to appoint an additional deputy sheriff and providing compensation.

Also:

S. 922. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, regulating and providing for the payment of compensation of election officers.

Also:

S. 923. To apply only in counties having populations of not less than 23,900 nor more than 24,450 providing expense allowances payable from the county treasury for the coroners of such counties.

Also:

S. 924. To apply only in counties having populations of not less than 23,900 nor more than 24,450, fixing the compensation of members of the jury commission.

Also:

S. 925. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 23,900 nor more than 24,450, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

S. 927. Relating to counties having a population of not less than 23,900 nor more than 24,450, fixing the fee for issuance of a pistol permit by the sheriffs in such counties and providing for the distribution and use of such fees.

Also:

S. 935. To authorize establishment of branch banks in Barbour County.

Also:

S. 30. To amend Sections 31 and 33 of Title 13, Code of Alabama 1940, as amended, pertaining to the election by the chief justice or any associate justice of the supreme court to become a supernumerary justice, prescribing the conditions for such election, and further prescribing the term of office of supernumerary justices, and the duties, powers, and salaries of such justices.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 834. To repeal Act No. 523, S. 354, approved August 22, 1961, entitled, "An Act Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county," (Acts of Alabama 1961, p. 623).

Also:

S. 833. To repeal Act No. 63, H. 5, approved April 5, 1967, entitled, "An Act To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623)", (Acts of Alabama 1967, p. 97).

Also:

S. 832. To repeal Act No. 485, H. 697, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses where the county governing body is the board of revenue; further regulating the schedule days of meeting of the board of equalization at the two courthouses of the county; providing an option for taxpayers as to the place of holding certain hearings, and requiring notice thereof," (Acts of Alabama 1967, p. 1180).

Also:

S. 831. To repeal Act No. 486, H. 698, approved September 7, 1967, entitled, "An Act to apply only in counties having populations of not less than 20,000 nor more than 25,000 where there are two courthouses within the county and the county governing body is a board of revenue; providing further for the compensation and allowances of jurors in all such counties" (Acts of Alabama 1967, p. 1181).

Also:

S. 830. To repeal Act No. 348, S. 362, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect" (Acts of Alabama 1967, p. 907).

Also:

S. 829. To repeal Act No. 902, H. 1269, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax collector of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1627).

Also:

S. 828. To repeal Act No. 903, H. 1270, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax assessor of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1628).

Also:

S. 827. Relating to law enforcement in Barbour County; fixing the fee for the issuance of pistol permits, providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Also:

S. 826. Relating to Barbour County: to authorize the county commission to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Also:

S. 825. Providing an expense allowance for the tax collector of Barbour County.

Also:

S. 840. To repeal Act No. 33, S. 106, approved September 23, 1965, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census to provide an additional expense allowance for the judge of probate of any such county for the ex officio duties performed by him as judge of the county court." (Acts of Alabama 1965, p. 49).

Also:

S. 839. To repeal Act No. 772, H. 1477, approved September 8, 1961, entitled, "An Act Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 24,600 nor more than 25,300, according to the 1960 or any subsequent federal decennial census." (Acts of Alabama 1961, p. 1110).

Also:

S. 841. To repeal Act No. 525, S. 356, approved August 22, 1961, entitled, "An Act To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census." (Acts of Alabama 1961, p. 624).

JOHN W. PEMBERTON,  
Clerk.

#### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 71. Naming the Infirmary at Florence State University in honor of Dr. Thomas L. Bennett.

Also:

S. J. R. 72. Naming the Health, Physical Education, and Recreation Building at Florence State University in honor of Hubert A. Flowers.

Also:

S. J. R. 74. Naming the Auditorium at Florence State University in honor of Dr. Ethelbert B. Norton.

Also:

S. J. R. 73. Naming the Science Building at Florence State University in honor of Dr. Homer H. Floyd.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2119. To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Also:

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 2120. Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government.

Also:

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 2121. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities.

Also:

By Messrs. Hale, Lutz, King, Hearn and Grainger:

H. 2123. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Also:

By Messrs. Hale, King, Hearn, Grainger and Lutz:

H. 2124. Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

Also:

By Messrs. Hale, Lutz, King and Hearn:

H. 2125. To authorize and make provision for the incorporation in any county having a population of not less than 175,000 nor more than 300,000, according to the last or any subsequent federal decennial cen-



sus, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such authority to be organized, application be made to the governing body of the county in which such authority is to be organized and to the governing body of at least one municipality therein and that permission for organization of such authority be granted by each such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that the county in which any authority has been organized and each municipality which duly authorized the organization of such authority may aid and cooperate in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking, acquisition, construction and operation of airports and airport facilities of an authority organized pursuant to this act; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agent, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence and by forecloseable mortgage on any property of such authority whether then in existence and thereafter acquired; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which such authority is organized and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting

said bonds, pledge and indenture and the proceedings authorizing the same.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2119, 2120, 2121, 2123, 2124, and 2125. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Drake:

H. 2062. To amend Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended, so as to increase the rate of the tax levied in said act to nine cents per gallon.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 2062. To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. May:

H. 1976. Relating to Escambia County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

With notice and proof thereto attached and herewith exhibited as follows:

#### A BILL TO BE ENTITLED AN ACT

Relating to Escambia County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Any motor vehicle, or any gun, rifle or other hunting equipment customarily used in hunting deer, or any possession thereof upon the person or in any motor vehicle of any person who may be apprehended while engaging in hunting deer at night in Escambia County shall be contraband and shall be forfeited to the state of Alabama. Such property may be seized by the sheriff of the county or by any other officer or person acting under authority of law in the enforcement of laws of this state, and the sheriff or such other officer or person shall report the seizure and the facts connected therewith to the solicitor or any other prosecuting official of the county, giving a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same or any interest therein if the name is known or can be ascertained, the date of seizure, and a statement of the circumstances connected with the apprehension of the person or persons whose property has been seized.

Section 2. In order to condemn and confiscate any of the property set out in section one of this act it shall not be necessary for the solicitor or other prosecuting authority to prove possession of deer killed in night hunting or that the hunter be apprehended in the actual act of killing deer but it shall suffice to prove possession upon the person or in any motor vehicle of such person of guns, ammunition, and other equipment normally used in hunting deer and the time, the place, and circumstances of the apprehension sufficient to support a conviction of the offense of night hunting of deer.

Section 3. Except as otherwise herein provided, the manner, the method and procedure for the forfeiture, condemnation, and sale of any motor vehicles or hunting equipment seized under authority of this act shall be the same as that provided by law for the confiscation, condemnation, and sale of automobiles, conveyances, or vehicles in which alcoholic beverages are illegally transported. Without limiting the generality of the foregoing sentence, the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249 shall apply.

Section 4. The proceeds of the sale of any property condemned and forfeited to the state under authority of this act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be paid into the state treasury to the credit of the State Game and Fish Fund.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
ESCAMBIA COUNTY

I, Tom Gardner, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for 4 consecu-

tive weeks, namely in the issues of May 27, 1971, June 3, 1971, June 10, 1971, and June 17, 1971.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

TOM GARDNER.

Subscribed and sworn to before me this 23rd day of July, 1971.

ALICE SUMMERVILLE,  
Notary Public,  
State at Large, Ala.

Also:

By Mr. May:

H. 1977. Relating to Escambia County; to make it unlawful to take deer from public waters; to provide for the seizure and confiscation of property used in the taking of deer from public waters.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Escambia County; to make it unlawful to take deer from public waters; to provide for the seizure and confiscation of property used in the taking of deer from public waters.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who shall attempt to hunt or take by any means, deer from public waters of Escambia County shall be guilty of a misdemeanor, and, upon conviction, shall be subject to a fine of not less than twenty-five dollars (\$25) nor more than two hundred fifty dollars (\$250) and/or imprisonment in the county jail for not more than six months.

Section 2. Any firearm, equipment, conveyance or other such property used directly or indirectly in the catching or taking of deer, dead or alive, from public waters of Escambia County, including but not limited to any truck, automobile, mobile vehicle, trailer, jeep, boat or other devise or contrivance or other vehicle, or which may be used in the transportation of any dead or live deer, are hereby declared and made contraband property and shall be confiscated and forfeited to the State of Alabama and shall be seized by an employee of the Department of Conservation or other officer of law, including but not limited to, any Highway Patrolman, Sheriff or Deputy Sheriff, and no property rights shall exist in any person or be vested in them in any such property used by them directly or indirectly in the above manner or as a means of transportation as aforesaid. Upon the seizure of such property it shall be delivered to the Sheriff and shall be retained by him in his official capacity pending the trial of the person or persons arrested for the offense herein mentioned; and upon conviction of such person or persons of said offense, the court having

jurisdiction may in its discretion, and subject to any valid intervening rights, mortgage or lien of any third person in the property seized, adjudge the property so seized forfeited, and order the same sold in the manner provided by law for the sale of personal property under execution; the net proceeds of such sale shall be paid into the Game and Fish Fund in the State Treasury of the State of Alabama; the forfeiture and sale of such property when ordered shall be in addition to such fine and/or imprisonment as may be imposed by the court.

Section 3. Whenever any property is seized and placed in the possession of the sheriff pursuant to the provisions of Section 2 of this Act, any person who establishes ownership in or right to any such property to the satisfaction of the court or the sheriff shall be entitled to the possession of the same upon furnishing the sheriff a bond in the amount of the value of such property, as fixed by the sheriff, conditioned upon such person producing such property in court on the day of the trial for the offense with respect to which such property was seized.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA ESCAMBIA COUNTY

I, Tom Gardner, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for 4 consecutive weeks, namely in the issues of May 27, 1971, June 3, 1971, June 10, 1971, and June 17, 1971.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

TOM GARDNER.

Subscribed and sworn to before me this 23rd day of July, 1971.

ALICE SUMMERVILLE,  
Notary Public,  
State at Large, Ala.

Also:

By Mr. May:

H. 1978. Relating to Escambia County; providing for the publication of only one annual financial statement.

With notice and proof thereto attached and herewith exhibited as follows:

## LEGAL NOTICE

STATE OF ALABAMA  
ESCAMBIA COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Escambia County; providing for the publication of only one annual financial statement.

Be It Enacted by the Legislature of Alabama:

Section 1. The Escambia County Commission and its Members shall be required to have published only one annual financial statement, which shall be published in a newspaper published in Escambia County as soon as practicable after September 30th., each fiscal year.

Section 2. The Escambia County Commission and its Members shall be relieved of having published a financial statement on or after April 1st., each year, as provided by Title 12, Section 22 of the 1940 Code of Alabama.

Section 3. The cost of the publication of the said financial statement shall be paid for from the General Funds of the county.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
ESCAMBIA COUNTY

E. R. Morrisette, Jr., being duly sworn, deposes and says that he is the PUBLISHER of THE ATMORE ADVANCE, a Weekly Newspaper published at Atmore, Escambia County, Alabama; that the notice hereto attached of A Bill To Be Entitled An Act, Was published in said newspaper for 4 consecutive weeks in the following issues: Date of 1st publication June 10, 1971, Date of 2nd publication June 17, 1971, Date of 3rd publication June 24, 1971, Date of 4th publication July 1, 1971.

E. R. MORRISSETTE, JR.,  
Publisher.

Subscribed and sworn before the undersigned this 21st day of July 1971.

FRANCIS D. BLACKBURN,  
Notary Public,  
Escambia County.

My Commission Expires October 19, 1972.

Also:

By Mr. May:

H. 1979. Relating to Escambia County; providing for accounts against the county not having to be certified and sworn to.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

##### STATE OF ALABAMA ESCAMBIA COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Escambia County; providing for accounts against the county not having to be certified and sworn to.

Be It Enacted by the Legislature of Alabama:

Section 1. The Escambia County Commission is hereby relieved of having the accounts against Escambia County certified and sworn to as being just, true and correct and no part thereof having been paid as provided in Title 12, Section 115, of the 1940 Code of Alabama, however, all accounts against Escambia County must be accurately and fully itemized.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### AFFIDAVIT OF PUBLICATION

##### STATE OF ALABAMA ESCAMBIA COUNTY

E. R. Morrisette, Jr., being duly sworn, deposes and says that he is the PUBLISHER of THE ATMORE ADVANCE, a Weekly Newspaper published at Atmore, Escambia County, Alabama; that the notice hereto attached of A Bill To Be Entitled An Act, Was published in said newspaper for 4 consecutive weeks in the following issues: Date of 1st publication June 10, 1971, Date of 2nd publication June 17, 1971, Date of 3rd publication June 24, 1971, Date of 4th publication July 1, 1971.

E. R. MORRISSETTE, JR.,  
Publisher.

Subscribed and sworn before the undersigned this 21st day of July 1971.

FRANCIS D. BLACKBURN,  
Notary Public,  
Escambia County.

My Commission Expires October 19, 1972.

Also:

By Messrs. Connell and Crawford:

H. 2012. To repeal Act No. 212, S. 255, approved July 25, 1963, Regular Session 1963 (Acts 1963, P. 611), entitled, "An Act To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 50,000 nor more than 54,000."

Also:

By Messrs. Connell and Crawford:

H. 2013. To provide for the compensation and method of payment of the Register of the Circuit Court of Houston County, Alabama, In Equity.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for the compensation and method of payment of the Register of the Circuit Court of Houston County, Alabama, In Equity.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Houston County, Alabama, only. The Register of the Circuit Court in Equity of said County shall receive an annual salary of fifty-six hundred dollars (\$5,600), to be paid in equal monthly installments from the general funds of said County on warrants drawn in the manner prescribed by law.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama,



said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me July 27, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Mr. Easters:

H. 2034. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; entitling the coroner to a scale of fees.

Also:

By Messrs. Manley and Pruitt:

H. 2060. To repeal Act No. 413, H. 879, approved August 7, 1961, Regular Session 1961 (Acts 1961, p. 431), entitled, "An Act To fix the compensation of the deputy solicitor of all counties having a population of not less than 27,000 nor more than 30,000, according to the 1960 or any subsequent federal decennial census."

Also:

By Messrs. Manley and Pruitt:

H. 2061. Relating to counties having a population of not less than 23,800 nor more than 23,925, according to the most recent federal decennial census; to fix the compensation of the deputy solicitor.

Also:

By Messrs. Manley and Pruitt:

H. 2077. To amend the title and Section 1 of Act No. 179, H. 518, Regular Session 1965 (Acts 1965, p. 250), which Act provides further for an expense allowance for the members of the county commissions of certain counties classified on a population basis.

Also:

By Messrs. Goodwin and Reynolds:

H. 2144. To amend the title and Section 1 of Act No. 111, H. 169, Special Session 1962 (Acts 1962, p. 146) which provides for additional meetings of boards of registrars in certain counties classified on a population basis.

Also:

By Mr. Coshatt:

H. 2089. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Springville in St. Clair County are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within the corporate limits of the town, the following described property:

E½ of SW¼; and NW¼ of SE¼, except that portion lying north-westerly of Camp Road; S½ of NE¼; all in Section 36, Township 14 South, Range 1 East, St. Clair County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
ST. CLAIR COUNTY

Before me, the undersigned authority, in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper for four successive weeks once a week and without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me this 2nd day of August, 1971.

ANNE T. MILAM,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2142. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

Enrolled, An Act, Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second

Special Session 1959 (Acts 1959, p. 298) as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

**Be It Enacted by the Legislature of Alabama:**

Section 1. All words, terms and phrases that are defined in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, the state sales tax act, and in Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended, shall, where used in this Act, have the meanings respectively ascribed to them in said Act No. 100 and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as heretofore amended, except where the context herein clearly indicates a different meaning. In addition, the following words, terms, and phrases, where used in this Act, shall have the following respective meanings except where the context clearly indicates a different meaning:

"State sales tax statutes" means Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100, heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said Act and the incidence and collection of the tax imposed therein;

"State sales tax" means the tax imposed by the state sales tax statutes;

"State use tax statutes" means Code of Alabama 1940, Title 51, Chapter 20, Article 11, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said Article and the incidence and collection of the tax imposed therein;

"State use tax" means the tax imposed by the state use tax statutes;

"Registered seller" means the person registered with the State Department of Revenue pursuant to the State use tax statutes or licensed under the state sales tax statutes;

"Month" means the calendar month;

"Quarterly period" means the period of three months ending on the last day of each March, June, September, and December;

"Fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year.

Section 2. There are hereby levied and imposed in Monroe County, in addition to all other taxes of every kind now imposed by law, county privilege or license taxes to be determined by the application of rates against gross sales or gross receipts as the case may be as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC Stores) engaged or continuing within Monroe County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character

(not including, however, bonds or other evidence or debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10¢) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10¢) per sale and shall file with the State Department of Revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the State Department of Revenue, the gross receipts tax herein provided for shall not be levied.

2. Upon every person, firm, or corporation engaged or continuing within Monroe County in the business of conducting or operating places of amusement or entertainment, billard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Monroe County, an amount equal to one percent of the gross receipts of any such business.

3. There are exempted, however, from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the state tax statutes from the computation of the amount of the state sales tax. In addition, there shall be exempted from the computation of the amount of tax the gross proceeds of the sale of automotive vehicles, truck trailers, semi-trailers, and house trailers; the gross proceeds of sale of any machine, machinery or equipment either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefore which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment; and the gross proceeds of the sale of machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property, including the parts, attachments, and replacements therefor which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

4. An excise tax on the storage, use, or other consumption in Monroe County of tangible personal property purchased at retail,

on or after the first day of the second month succeeding the month during which this Act shall become a law, for storage, use, consumption in Monroe County, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Monroe County or in this State.

5. There are exempted, however, from the provisions of this section and the tax imposed in this section the storage, use, or other consumption of property the storage, use, or other consumption of which is presently exempted under the state use tax statutes from the state use tax. The storage, use, or other consumption in Monroe County of the following tangible personal property is hereby specifically exempted from the tax imposed by this section: automotive vehicles, truck trailers, semi-trailers, and house trailers; any machine, machinery or equipment either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment; and machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property, including the parts, attachments, and replacements therefor which are made or manufactured for use on or in the operation of machines and which are necessary to the operation of such machines and are customarily so used. Subject to these exemptions, every person storing or using or otherwise consuming in Monroe County tangible personal property purchased at retail shall be liable for the tax imposed by this section and the liability shall not be extinguished until the tax has been paid by such person as hereby provided; provided, however, that a receipt from a registered seller given pursuant to Section 5 of this Act to the purchaser of any property to be used, stored, or consumed in Monroe County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 3. The taxes levied by Section 2, subsections 1 and 4 of this Act shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments and deductions that are applicable to the taxes levied by the state sales and use tax statutes, except where inapplicable or where herein otherwise provided, including all provisions of the state sales and use tax statutes for enforcement and collection of taxes.

Section 4. The taxes levied in Section 2, subsection 1 of this Act shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues, and the taxes levied in Section 2, subsection 4 of this Act shall be due and payable quarterly on or before the twentieth day of the month next succeeding each quarterly period during which the storage, use, or other consumption of the tangible personal property became taxable hereunder, each such quarterly period to end on the last days of each of the months of March, June, September and December. All taxes levied in this Act shall be paid to and collected by the State Department of Revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes as herein levied, each person subject to such taxes shall file with the State Department of Revenue a report or return in such form as may be prescribed by the Department, setting forth, with respect to all sales and business that are provided in Section 2, subsection 1 hereof to be used as a measurement of the tax levied in

said Section 2, subsection 1 a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in Section 2, subsection 4 hereof, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax imposed by said Section 2, subsection 4 during the then preceding quarterly period; however, that said report shall include also such other items of information pertinent to the said taxes in the amount thereof as the State Department of Revenue may require. All reports or returns filed with the State Department of Revenue under this section shall be available for inspection by the chairman of the Monroe County governing body, or his designated agent at reasonable times during business hours.

Section 5. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Monroe County (which storage, use, or other consumption is not herein exempted from the tax imposed in Section 2, subsection 1 hereof) shall at the time of making such sale or if the storage, use, or other consumption of such tangible personal property in Monroe County is not then taxable under this act, at the time such storage, use or other consumption becomes taxable hereunder, collect the tax imposed by Section 2, subsection 4 of this Act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the State Department of Revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 hereof, each registered seller shall file with the State Department of Revenue a return for the preceding quarterly period in such form as may be prescribed by the Department showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed by Section 2, subsection 4 of this Act during the then preceding quarterly period and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period followed by the return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Monroe County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed by Section 2, subsection 4 of this Act and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 4.

Section 6. The State Department of Revenue shall charge Monroe County for collecting said special taxes herein levied by this Act the cost of making such collections, which charge shall not exceed five percent of the amount collected. Such charge may be deducted once each month from the special sales and use taxes collected before certifying the amount of special taxes due Monroe County. The Commissioner of Revenue shall pay into the State Treasury all taxes collected under this Act as such taxes are received by the Department of Revenue; and on or before the tenth day of each successive month (commencing with the month following the month in which the Department makes the first collection hereunder), the Commissioner shall certify to the State Comptroller the amount of taxes collected under the provisions of this Act and paid by him into the State Treasury for the benefit of Monroe County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the State Treasury for the benefit of Monroe County during each month, the Commissioner may deduct from the taxes collected in said month the charges due the Department for the collection of the taxes for the County. It shall be the duty of the

Comptroller to issue his warrant each month payable to the Custodian of Public School Funds, Monroe County, in an amount equal to the amount so certified by the Commissioner of Revenue as having been collected for the use of Monroe County and paid into the State Treasury.

Section 7. Proceeds from the taxes herein levied shall be used for operating the public schools of Monroe County.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective on the first day of the second month succeeding the month during which it becomes law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 8, July 15, July 22, and July 29, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 4, 1971.

FRANCES REED NETTLES,  
Notary Public.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1976, 1977, 1978, 1979, 2012, 2013, 2034, 2060, 2061, 2077, 2144, 2089 and 2142. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Collins, Grey (D), Fite, Kinsey, Benton, Mims, Warren and Lyons:

H. 451. To amend Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on oil, gas and other hydrocarbons,

so as to preclude counties and municipalities in the State from levying any tax, license or other charge or fee other than ad valorem taxes on the production, treating, processing, ownership, selling, buying, storing or marketing of oil or gas or on the operation or maintenance of any plant, facility or any equipment necessary or convenient to the production, treating, processing, ownership, storage, sale, purchase, marketing or transportation of oil or gas produced in the State of Alabama; to authorize and provide for the payment to counties and municipalities in which oil or gas wells are located of a portion of the severance tax levied by said Act No. 2; and to repeal laws in conflict herewith.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 451. To the Committee on Finance and Taxation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCorquodale, Burgess, Bassett, Jackson, Warren, Benton, Fite, Smith (P), Headley, Brassell, Chesnut, O'Daniel, Manley, Grey (D), Williams, Edwards, Wise, Agee, Robertson, Mims, Crowe, Reid (R), Stubbs, Wynot, Hobbie, Hardin, Pruitt, Mathews, Carter, Jones (F), Connell, Kinsey, Casey, Drake, Cross, Naramore, Owens, St. John, Lang, Culver, Barkett and Hearn:

H. 2079. Proposing an amendment to Article XI, Section 217, of the Constitution of Alabama 1901 relative to ad valorem taxation; establishing a classification system of property taxation; fixing assessment rates for each class of property.

Also:

By Messrs. McCorquodale, Burgess, Bassett, Jackson, Warren, Benton, Fite, Smith (P), Headley, Brassell, Chesnut, O'Daniel, Manley, Grey (D), Williams, Edwards, Wise, Agee, Robertson, Mims, Crowe, Reid (R), Stubbs, Wynot, Hobbie, Hardin, Pruitt, Mathews, Jones (F), Connell, Kinsey, Casey, Drake, Cross, Naramore, Owens, St. John, Lang, Culver, Barkett and Hearn:

H. 2080. Relating to ad valorem taxation; providing for the classifications of property for purposes of taxation; and fixing percentages of fair and reasonable market value of the property in the several classes at which such property shall be valuated and taxes thereon assessed.

Also:

By Messrs. Lutz, King, Hearn, Adams, Flipppo, Hill, Culver, Bank, Cauthen, Slate and Casey:

H. 1078. To regulate the rate of assessing property for taxation; repealing conflicting laws.

JOHN W. PEMBERTON,  
Clerk.



## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2079, 2080 and 1078. To the Committee on Finance and Taxation.

(The above numbered Bill, H. B. 2079, was read a first time at length as required by the Constitution.)

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. King, Hearn, Lutz, Hale and Grainger:

H. 2092. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama, 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any such municipalities.

Also:

By Messrs. King, Hearn, Lutz, Hale and Grainger:

H. 2093. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Also:

By Messrs. King, Hearn, Lutz, Hale and Grainger:

H. 2094. Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent Federal Decennial Census, to create a Planning Commission having certain powers, duties and regulations.

Also:

By Messrs. Lutz, Hearn, King, Hale and Grainger:

H. 2095. Relating to the powers of cities having a population of not less than 135,000 and not more than 185,000 according to the 1970 or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic character of the city, including designating historic districts, defining the boundaries of such districts, establishing certain agencies, procedures and regulations to promote the preservation of such districts, conferring certain duties and powers upon such agencies, and adopting other provisions necessary to effect the purposes of this Act.

Also:

By Messrs. Grainger, King, Hearn, Lutz and Hale:

H. 2096. To repeal Act No. 298, H. 516, 1965 Regular Session of the Legislature of Alabama, approved August 10, 1965, relating to the authority of incorporated cities and towns within the State of Alabama having a population of not less than 70,000 nor more than 120,000 according to the last or any subsequent Federal Decennial Census, to provide by ordinance for the levy and assessment of sales and use tax, parallel to the State levy of sales and use tax.

Also:

By Messrs. Grainger, King, Hearn, Lutz and Hale:

H. 2097. To repeal Act No. 10, S. 17, 1965 Second Special Session, approved September 21, 1965, relating to city recorder; providing for appointment of recorders in cities having a population of not less than 70,000 nor more than 100,000.

Also:

By Messrs. Grainger, Hale, King, Hearn and Lutz:

H. 2098. To repeal Act No. 90, H. 214, 1965 Second Special Session, approved September 30, 1965, relating to off-street automobile parking facilities in cities having a population of not less than 70,000 nor more than 120,000 according to the last or any subsequent Federal Decennial Census.

Also:

By Messrs. Hale, Lutz, Grainger, King and Hearn:

H. 2099. To repeal Act No. 104, S. 239, 1965 Regular Session, providing further for the terms of the mayor and council of all cities having populations of not less than 70,000 nor more than 120,000 according to the 1960 or any subsequent Federal Decennial Census.

Also:

By Messrs. Hale, Lutz, Grainger, King and Hearn:

H. 2100. To repeal Act No. 401, H. 971, 1963 Regular Session, approved August 30, 1963, as amended, pertaining to the creation of Planning Commissions within municipalities having a population of not less than 70,000 nor more than 130,000 according to the most recent Federal Decennial Census.

Also:

By Messrs. Hale, King, Hearn, Lutz and Grainger:

H. 2101. To repeal Act No. 1217, H. 1479, 1969 Regular Session, approved September 13, 1969, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, authorizing said municipality to provide the municipal gas utility boards to make certain expenditures without prior consent and approval of the governing body.

Also:

By Messrs. Hale, King, Hearn, Lutz and Grainger:

H. 2102. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, ac-

ording to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal water works utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session, 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

Also:

By Messrs. Hale, King, Hearn, Lutz and Grainger:

H. 2103. To repeal Act No. 1215, H. 1477, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, and authorizing waterworks utility boards to make certain expenditures without the prior consent and approval of the governing bodies.

Also:

By Messrs. Lutz, Hearn, King, Hale and Grainger:

H. 2104. Authorizing all municipalities in the State which now have or may hereafter have a population of not less than 135,000 and not more than 185,000 inhabitants according to the 1970 or any subsequent Federal Decennial Census to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within such municipalities, or any accumulation of trash, rubbish, junk or debris, or any unsightly or dangerous walls, or any abandoned construction of any kind of nature, or motor vehicles or machinery not in operating condition, or any debris of a burned building, or any abandoned or unused swimming pool, or any abandoned wells or cisterns, to be a public nuisance and creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same.

Also:

By Messrs. Lutz, Hearn, King, Hale and Grainger:

H. 2105. Relating to city recorders; providing for appointment of recorders in cities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census.

Also:

By Messrs. Hearn, Lutz, King, Hale and Grainger:

H. 2106. To repeal Act No. 395, H. 833, Regular Session, 1961, approved August 7, 1961, as amended, which said act relates to the election of the mayor and council of all cities having populations of not less than 70,000 nor more than 120,000 according to the 1960 or any subsequent Federal Decennial Census.

Also:

By Mr. Mathews:

H. 1235. To make additional appropriations to the Board of Corrections for the fiscal year ending September 30, 1971.

Also:

By Mr. Wood:

H. 258. To make an additional appropriation to the Office of the Attorney General from the General Fund.

Also:

By Messrs. Roberts, Stokes, Downing and Perloff:

H. 1105. To authorize the county governing bodies of the several counties in the State to enter into contracts and agreements with the United States of America, the State of Alabama and other counties for the purpose of acquiring funds and facilities for public use.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105 and 2106. To the Committee on Local Legislation No. 1.

H. B.'s 1235 and 258. To the Committee on Finance and Taxation.

H. B. 1105. To the Committee on County Government.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Therrell, Collins, Roberts, Perloff, Callahan, Downing, Stokes, Wood, Mims, Warren, Headley, Wise, Straiton, Lyons, Robertson and Nettles:

H. 869. To provide that any incorporated municipality having a population of 2,000 or more according to the last or any subsequent federal decennial census, shall have the authority, after notice, to remove or demolish buildings, and parts of buildings, when they are found to be unsafe to the extent of being a public nuisance; to provide for public hearings; to provide for a special assessment constituting a lien on the property involved, and for the collection of such assessments.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 869. To the Committee on Municipal Government.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Fite:

H. 1081. To amend Title 51, section 787(e), as amended, Code of Alabama 1940, so as to make the sale of building materials, fixtures, or other equipment to a manufacturer or builder of modular buildings for use in manufacturing, building or equipping a modular building ultimately becoming a part of real estate situated in Alabama a sale at retail.

Also:

By Mr. Fite:

H. 1082. To further amend section 1(j), Act No. 100, Second Special Session, Legislature of 1959, as amended by Act No. 577, Acts of Alabama 1965, and Act No. 692, Acts of Alabama 1965, so as to make the sale of building materials, fixtures or other equipment to a manufacturer or builder of modular buildings for use in manufacturing, building or equipping a modular building ultimately becoming a part of real estate situated in Alabama a sale at retail.

Also:

By Mr. Grainger:

H. 389. To amend Section 270 of Title 22 of the Code of Alabama 1940, Recompiled 1958 to provide for medical treatment of minors with venereal disease.

Also:

By Messrs. Owens, Jones (E), Boles and Lyons:

H. 881. To provide a Uniform Standards Code for the protection of life and property.

Also:

By Messrs. Owens and Lyons:

H. 882. To increase the penalty for a violation of a Fire Marshal's regulation or order.

Also:

By Messrs. Owens and Lyons:

H. 883. To require domestic insurance companies and Mutual Aid or Fraternal Societies to keep the original records pertaining to operations within the confines of this State; to provide for revocation or suspension of license for failure to do so.

Also:

By Messrs. Owens and Lyons:

H. 884. To create the Alabama Insurance Guaranty Association to provide for the payment of claims of claimants and policyholders of insolvent insurance companies.

Also:

By Mr. Pruitt:

H. 1975. To enact the Alabama Insurance Holding Company System Regulatory Act relating to insurance; to provide for the regulation of insurance holding company systems; to define the term "insurance

holding company system" and certain other terms; to regulate the acquisition of control of or merger with domestic insurers; to provide for the filing of certain information with the Superintendent of Insurance; to prescribe grounds for approval of mergers and acquisition; to provide for notice and hearing; to provide for exemptions; to provide for registration of insurers and to prescribe information to be filed; to provide for amendments to registration statements; to provide for exemptions and disclaimers; to provide standards for material transactions between insurers and their affiliates; to regulate extraordinary dividends and distributions; to provide for examination by the Superintendent of Insurance with the respect to the verification of information required to be filed; to provide confidential treatment for information filed pursuant to the provisions of the Act; to empower the Superintendent of Insurance to issue rules, regulations, and orders to carry out and administer the provisions of the Act; to authorize the Superintendent of Insurance to enjoin violations of the Act; to prohibit voting of equity securities acquired in violation of the Act; to provide for the sequestration of securities acquired contrary to the provisions of the Act; to provide criminal penalties; to provide for receivership, revocation or suspension of license for violation of the Act; to provide for judicial review, to supersede conflicting laws; to provide for separability of provisions; and to provide an effective date.

Also:

By Mr. Williams:

H. 1383. To amend Section 5, of Act No. 643, H. 854, Regular Session, 1967 (Acts of Alabama 1967, Page 1455) Approved September 8, 1967, entitled "An Act".

Providing for the regulation of junkyards along the interstate and primary systems restricting location; licensing; screening, acquisition; penalties.

Also:

By Messrs. King, Lutz, Hearn, Culver, Carter, Hale, Hill, Stewart, Roberts, Smith (P), Crowe, Stokes, Flippo, Cross, Waldrop, Chesnut, St. John, Bank, Robertson, Parker (T), Nettles, Coshatt, McDonald and Callahan:

H. 862. Providing for the certification of factory-built housing; to provide for the regulation, administration and enforcement of the provisions of this Act by the Alabama Development Office; to establish certain civil remedies and actions in connection with factory-built housing and to provide penalties for violations of this Act or any rule or regulation promulgated hereunder.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1081, 1082, 881, 884, 1975, 1383 and 862. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 389. To the Committee on Health.

H. B. 882. To the Committee on Judiciary.

H. B. 883. To the Committee on Insurance.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Goodwin and Reynolds:

H. 2145. To amend the title and Section 1 of Act No. 354, H. 648, Regular Session 1961 (Acts 1961, p. 373) which relates to the registration of voters and relieves the members of the board of registrars from the duty of visiting precincts or voting places in the performance of their official duties in certain counties classified on a population basis.

Also:

By Messrs. Goodwin and Reynolds:

H. 2146. To repeal Act No. 1193, H. 1432, approved October 17, 1969, Regular Session 1969 (Acts 1969, p. 2231), entitled, "An Act To fix the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; to repeal conflicting laws; and to provide for a referendum."

Also:

By Messrs. Goodwin and Reynolds:

H. 2147. To repeal Act No. 735, H. 35, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1305), entitled, "An Act Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective."

Also:

By Messrs. Goodwin and Reynolds:

H. 2148. To amend the title and Section 1 of Act No. 26, H. 77, Third Special Session 1965 (Acts 1965, p. 235) which authorizes the expenditure of county funds for contributions to non-profit Community Action Committees, boards and groups formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity, in certain counties classified on a population basis.

Also:

By Messrs. Hearn, Lutz, King, Hale and Grainger:

H. 2107. To repeal Act No. 209, S. 32, 1961 Special Session, approved September 15, 1961, providing for the adoption of a commission form of government in cities having a population of more than 70,000 and not more than 100,000.

Also:

By Messrs. Hearn, Lutz, King, Hale and Grainger:

H. 2108. Relating to counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent

federal decennial census; authorizing any purchaser or encumbrancer of real property situated in any municipality in any such county, or the attorney of such purchaser or encumbrancer, to request in writing from the clerk of the municipality in which the property is located a statement as to whether there is or will be any encumbrance against a particular piece of property because of any public improvement for which an ordinance has been adopted.

Also:

By Messrs. King, Hearn, Hale, Grainger and Lutz:

H. 2110. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Also:

By Messrs. King, Hearn, Hale, Grainger and Lutz:

H. 2111. Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Also:

By Messrs. King, Hearn, Hale, Grainger and Lutz:

H. 2112. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Also:

By Messrs. Hearn, Hale, Grainger, Lutz and King:

H. 2113. To apply only in counties in the state having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Also:

By Messrs. Hearn, Hale, Grainger, Lutz and King:

H. 2115. To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus



funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2116. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census.

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2117. To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census.

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2118. To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2145, 2146, 2147, 2148, 2107, 2108, 2110, 2111, 2112, 2113, 2115, 2116, 2117 and 2118. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill, Adams, Adwell, Agee, Baker, Bank, Barkett, Bassett, Benton, Boles, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Cherner, Chesnut, Collins, Coshatt, Cottingham, Crawford, Cross, Crowe, Culver, Dill, Doss, Downing, Drake, Easters, Edwards, Ellis, Falkenburg, Fite, Flippo, Gafford, Gloor, Goodwin, Grainger, Gray (F), Grey (D), Hardin, Harris, Headley, Hearn, Hill, Jackson, Jones (E), Jones (F), King, Kinsey, Lutz, Lyons, McBride, McCluskey, McCorquodale, McDonald, Manley, May, Meeks, Mims, Naramore, Nettles, O'Daniel, Owens, Parker (T), Perloff, Pruitt, Reed (T), Reid (R), Reynolds, Roberts, Robertson, St. John, Slate, Smith (K), Snell, Stewart, Stokes, Straiton, Stubbs, Taylor, Therrell, Timmons, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Weeks, Williams, Wise, Wood, Wynot:

H. J. R. 149. EXTENDING TO MR. CHARLES MILLER ALL BEST WISHES FOR HIS EARLY AND COMPLETE RECOVERY

WHEREAS our long time good and valued friend, Mr. Charlie Miller, is currently hospitalized following surgery; and

WHEREAS we not only have greatly missed Mr. Charlie's customary warm friendly greeting each morning, and the bright boutonniere, daily changing in variety, which adorns his lapel, but we have also missed him; and

WHEREAS this body is ever mindful and deeply appreciative of the many kind and thoughtful considerations which Mr. Charlie has extended to each of its individual members; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we sincerely regret Mr. Charlie's illness and extend to him every best wish for a speedy and complete recovery.

RESOLVED FURTHER That a copy of this resolution be sent to Mr. Miller.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 149, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

#### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill, H. 330, said Governor's message being in words and figures as follows, to-wit:

#### MESSAGE FROM THE GOVERNOR

To The House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning House Bill Number 330, with a suggested Executive Amendment.

Respectfully submitted,  
HARRY L. PENNINGTON,  
Executive Secretary.

Done this 12th day of August, 1971.

To The House of Representatives  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 330, without my approval and with a suggested Executive Amendment.

It is suggested that the first paragraph of Section 7 of House Bill Number 330 be amended to read as follows:

"For the purposes of the Act and the regulations of the Board, each separate location at which the practice of barbering or any part thereof is taught shall be considered to be a barber college, and a separate certificate shall be required for each. However, facilities at which the practice of barbering or any part thereof is taught which are operated or maintained by a college in the same central area as the main establishment of the college shall not be deemed for the purposes of this Act, to be a separate college. No such facility shall be operated or maintained by a college until and unless each has been inspected and approved by the Board in the same manner as is required before a certificate to operate a college may be issued, the fee prescribed by this Act paid and a certificate to operate and maintain the particular facility is issued by the Board."

It is further suggested that paragraph 3 of Section 14 of House Bill Number 330 be amended to read as follows:

"The succeeding members of said Board shall serve for five (5) years. Vacancies caused by death, resignation or otherwise shall be filled by the remaining members of the Board. Members appointed to fill vacancies shall serve for the unexpired term of their predecessors. Said Board may do all things necessary and convenient for enforcing the provisions of this Act. They may from time to time promulgate necessary rules and regulations compatible with the provisions of this Act, and the State Board of Health."

The adoption of the above suggested Amendments will remove my objections to the Bill.

Respectfully,

GEORGE C. WALLACE,  
Governor of Alabama.

Done this 12th day of August, 1971.

And the House has concurred in and adopted the amendment proposed by the Governor to the bill, H. 330, by a vote of Yeas 68, Nays 0, which was a majority of the whole number elected to the House and said bill:

**H. 330. REQUIRING THE REGISTRATION AND LICENSING OF BARBERS AND BARBER APPRENTICES, AND BARBER COLLEGES, CREATING FOR THE ADMINISTRATION OF THIS ACT A STATE BOARD OF BARBER EXAMINERS, AND DEFINING VIOLATION OF THIS ACT AND PRESCRIBING PENALTIES THEREFOR.**

as amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed by a vote of Yeas, 73, Nays, 0, which was a majority of the whole number elected to the House.

And said bill, H. 330, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. O'Bannon, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 330, the title of which and said executive amendment are set out in the foregoing Message from the House.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Foshee	Malone	Register	
Branyon	Hammond	Noonan	Shelby	
Clark	Horne	O'Bannon	Vacca	
Cooper	Jones	Owen	Weaver	
Edington	Lindsey	Pelham	Wilder	
Fine	Littleton	Pierce		—22

Nays: —0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 330, as thus amended by the executive amendment, was again read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Dozier	Hawkins	Owen	Weaver	
Edington	King	Pelham	Wilder	
				—23

Nays: —0

which was a majority of the whole number elected to the Senate.

#### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65.

#### REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 36

S. J. R. 37

S. J. R. 58

S. J. R. 62

S. B. 39

S. B. 282

S. B. 283

Delivered to the Governor August 3, 1971 at 3:15 P. M.

S. B. 748

Delivered to the Governor August 10, 1971 at 3:40 P. M.

S. B. 559

S. B. 560

S. B. 561

S. B. 562

S. B. 563

S. B. 564

S. B. 565

S. B. 566

S. B. 567

S. B. 568

S. B. 569

S. B. 570

S. B. 572

S. B. 573

S. B. 574

S. B. 293

S. B. 441

S. B. 577

S. B. 575

S. B. 578

S. B. 432

S. B. 434

S. J. R. 39

S. J. R. 61

S. B. 289

S. J. R. 66

S. B. 362

S. B. 364

S. B. 365

S. B. 433  
S. B. 435  
S. B. 436  
S. B. 437  
S. B. 438  
S. B. 502  
S. B. 515  
S. B. 550  
S. B. 571  
S. B. 635  
S. B. 636  
S. B. 637  
S. B. 638  
S. B. 639  
S. B. 640  
S. B. 641  
S. B. 642  
S. B. 643  
S. B. 644  
S. B. 645  
S. B. 646  
S. B. 647  
S. B. 682  
S. B. 747  
S. B. 749

Delivered to the Governor August 12, 1971 at 3:40 P. M.

McDOWELL LEE,  
Secretary.

#### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

#### ADJOURNMENT

At 7:30 P. M., Mr. Fine moved that the Senate adjourn until Tuesday, August 17, 1971, at 12 o'clock Noon.

Mr. Cooper moved as a substitute motion that the Senate adjourn until Tuesday, August 17, 1971, at 10 o'clock, which motion was adopted, and at 7:32 P. M., pending further consideration of S. R. 65 and S. B. 59, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, August 17, 1971, at 10 o'clock A. M.

---

## TWENTY-EIGHTH LEGISLATIVE DAY

TUESDAY, AUGUST 17, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

## PRAYER

The Session was opened with prayer by the Reverend Albert S. Newton, Rector, All Saints' Episcopal Church, Montgomery, Alabama.

## ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pierce
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne	O'Bannon	

—34

## JOURNAL

On motion of Mr. Wilson, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-seventh Legislative Day was approved by the Senate.

## LEAVES OF ABSENCE

On motion of Mr. Wilson, leave of absence was granted Mr. Pelham for today.

## STATEMENT BY PRESIDING OFFICER

The President and Presiding Officer of the Senate requested that the following statement be read as his suggested procedure for the remaining Legislative Days, to-wit:

1. Motion to adopt report of Rules Committee now before Senate—Special Order Calendar.

2. Motion to carry over bond issue to 32nd legislative day, as unfinished business, to be voted on without extended debate.

3. Motion to carry over the three supporting revenue measures to the 29th legislative day, as unfinished business, to be voted on without extended debate.

4. Motion for unanimous consent to take up local bills only on Tuesday in an attempt to clear docket of all local legislation as soon as possible—work 10:00 a.m. to 11:00 p.m.

5. Request that Rules Committee prepare special order calendar for 30th and 31st legislative days to include air pollution bill, ethics bills, the insurance code, milk board bill, and other equally important matters.

6. Motion that Senate convene at 7:00 a.m. on each succeeding legislative day and that only local bills, house messages and committee reports be considered from 7:00 a.m. to 10:30 a.m. each day—take up regular order at 10:30 a.m.

### RECESS

At 10:15 A. M., on motion of Mr. Wilson, the Senate took a recess until 10:45 this morning.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

### RESOLUTIONS

Messrs. Pierce, Bailes, Branyon, Carr, Clark, Cook, Cooper, Dominick, Dozier, Edington, Fine, Foshee, Gilmore, Givhan, Hammond, Harris, Hawkins, Horne, Jones, King, Lindsey, Littleton, Lybrand, McLain, Malone, Noonan, O'Bannon, Owen, Pelham, Register, Shelby, Vacca, Weaver, Wilder and Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 75. CONGRATULATING McDOWELL LEE, SECRETARY OF THE SENATE, ON THE BIRTH OF A SON.

WHEREAS, The members of this body have long been aware of the unique skills and talents of its illustrious Secretary; and

WHEREAS, Under the wise and brilliant administration of its young mayor, Clio, Alabama became the garden spot of the world; and

WHEREAS, Our leader's career as representative in these hallowed halls was dynamic, productive, and well-deserving of the honors bestowed upon him; and

WHEREAS, His eight years as Secretary of the Senate have gained for him the admiration and affection of his colleagues; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, The HOUSE OF REPRESENTATIVES CONCURRING, That the past accomplishments of Honorable McDowell Lee pale in comparison with his latest achievement, the siring and birth of a son, Archibald McDowell Lee, born to his lovely wife, Valerie, at 11:45 P. M., August 12, 1971, weighing in at 8 lbs., 4 oz.



BE IT FURTHER RESOLVED, That our warmest congratulations go to Valerie and Mac, and a hearty welcome to Arch; we hereby extend to him the privilege of the floor, and look forward to his career in Alabama politics.

BE IT FURTHER RESOLVED, That judging from the increasing successes of McDowell Lee's various efforts in his youth, young manhood and pre-middle age, we can't wait for next year.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Pierce offered the following Senate Resolution, to-wit:

S. R. 76. FOR A MOST RECALCITRANT HE, THAT LATE-COMER NAMED BABY LEE: WHEREAS your postponed arrival Has threatened the very survival Of that Senate official whose head So once flamboyantly red Is now showing traces of gray—WHEREAS, we would go on to say, Your mother, petite and alluring, Has waited past all enduring, We herewith would like to espouse The Senate and also the House, As one august institution—The following joint resolution: RESOLVED that we welcome you here And united (for once) we cheer!

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

#### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 30. To amend Sections 31 and 33 of Title 13, Code of Alabama 1940, as amended, pertaining to the election by the chief justice or any associate justice of the supreme court to become a supernumerary justice, prescribing the conditions for such election, and further prescribing the term of office of supernumerary justices, and the duties, powers, and salaries of such justices.

Also:

S. 404. To provide additional compensation for the official Court reporters of all judicial circuits composed of only one county having a population of not less than 110,000 nor more than 150,000, according to the most recent federal decennial census.

Also:

S. 731. Relating to the provisions of clerks, equipment and supplies for the Probate Judge, Sheriff, Tax Assessor and Tax Collector in counties having a population of not less than 39,500 nor more than 41,750 according to the last federal census.

Also:

S. 733. To provide that certain cities classified according to population, may abate or reduce assessments made for public improvements.

Also:

S. 816. Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in Barbour County.

Also:

S. 817. Providing an expense allowance for the tax assessor of Barbour County.

Also:

S. 818. Relating to Barbour County; To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 819. To authorize the Barbour County Commission to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in Barbour County.

Also:

S. 820. Providing further for the compensation and allowances of jurors in Barbour County.

Also:

S. 821. Providing an additional deputy circuit clerk for Barbour County.

Also:

S. 822. Providing an expense allowance for the probate judge of Barbour County.

Also:

S. 823. Relating to Barbour County; providing additional expense allowance for the judge of probate of said county for the ex officio duties performed by him as judge of the county court.

Also:

S. 824. Providing clerk hire allowances for probate judges of Barbour County.

Also:

S. 825. Providing an expense allowance for the tax collector of Barbour County.

Also:

S. 826. Relating to Barbour County: to authorize the county commission to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect.

Also:

S. 827. Relating to law enforcement in Barbour County; fixing the fee for the issuance of pistol permits, providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Also:

S. 828. To repeal Act No. 903, H. 1270, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax assessor of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1628).

Also:

S. 829. To repeal Act No. 902, H. 1269, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax collector of such counties; and repealing conflicting laws," (Acts of Alabama 1969, p. 1627).

Also:

S. 830. To repeal Act No. 348, S. 362, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; to authorize the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect" (Acts of Alabama 1967, p. 907).

Also:

S. 831. To repeal Act No. 486, H. 698, approved September 7, 1967, entitled, "An Act to apply only in counties having populations of not less than 20,000 nor more than 25,000 where there are two courthouses within the county and the county governing body is a board of revenue; providing further for the compensation and allowances of jurors in all such counties" (Acts of Alabama 1967, p. 1181).

Also:

S. 832. To repeal Act No. 485, H. 697, approved September 5, 1967, entitled, "An Act To apply only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses where the county governing body is the board of revenue; further regulating the schedule days of meeting of the board of equalization at the two courthouses of the county; providing an option for taxpayers as to the place of holding certain hearings, and requiring notice thereof," (Acts of Alabama 1967, p. 1180).

Also:

S. 833. To repeal Act No. 63, H. 5, approved April 5, 1967, entitled, "An Act To amend Act No. 523, S. 354, Regular Session 1961, an act applying only in counties having populations of not less than 20,000 nor more than 25,000 and two courthouses (Acts 1961, v. 1, p. 623)", (Acts of Alabama 1967, p. 97).

Also:

S. 834. To repeal Act No. 523, S. 354, approved August 22, 1961, entitled, "An Act Authorizing the governing body of any county having a population of not less than 20,000, and not more than 25,000 inhabitants and two courthouses, and the county governing body of such county is a board of revenue, to authorize the circuit clerk to appoint an additional deputy, whose salary shall be paid by the county," (Acts of Alabama 1961, p. 623).

Also:

S. 835. To repeal Act No. 900, H. 1267, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; and providing an expense allowance for the probate judge of such counties," (Acts of Alabama 1969, p. 1626).

Also:

S. 836. To repeal Act No. 122, H. 359, approved July 31, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000, providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 460).

Also:

S. 837. To repeal Act No. 87, S. 208, approved July 15, 1967, entitled, "An Act To apply only in counties having populations of not less than 24,600 nor more than 25,000; providing clerk hire allowances for probate judges of all such counties," (Acts of Alabama 1967, p. 419).

Also:

S. 838. To repeal Act No. 901, H. 1268, approved September 12, 1969, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an additional deputy circuit clerk for such counties, and repealing conflicting laws," (Acts of Alabama 1969, p. 1627).

Also:

S. 839. To repeal Act No. 772, H. 1477, approved September 8, 1961, entitled, "An Act Relating to corporations organized to operate municipal water, sewer, gas, and electric systems; regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 24,600 nor more than 25,300, according to the 1960 or any subsequent federal decennial census," (Acts of Alabama 1961, p. 1110).

Also:

S. 840. To repeal Act No. 33, S. 106, approved September 23, 1965, entitled, "An Act Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census to provide an additional expense allowance for the judge of probate of any such county for the ex officio duties performed by him as judge of the county court," (Acts of Alabama 1965, p. 49).

Also:

S. 841. To repeal Act No. 525, S. 356, approved August 22, 1961, entitled, "An Act To provide further for the compensation of the members of the county governing body in all counties having a population of not less than 24,600 nor more than 25,300, according to the last or any subsequent federal decennial census." (Acts of Alabama 1961, p. 624).

Also:

S. 842. To repeal Act No. 13, S. 66, approved September 21, 1965, entitled, "An Act To amend Act No. 525, S. 356 of the Regular Session of 1961, so as to increase the additional compensation provided for members of the county governing body in all counties having populations of not less than 24,600 nor more than 25,300 according to the most recent federal decennial census." (Acts of Alabama 1965, p. 25).

Also:

S. 843. To repeal Act No. 12, S. 65, approved September 21, 1965, entitled, "An Act Relating to counties having a population of not less than 24,600 nor more than 25,300; providing for the payment of an expense allowance to the judge of the court of common pleas in any such county." (Acts of Alabama 1965, p. 25).

Also:

S. 844. To repeal Act No. 83, S. 132, approved July 15, 1967, entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 24,600 nor more than 25,300 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act." (Acts of Alabama 1967, p. 414).

Also:

S. 845. To repeal Act No. 125, H. 175, approved July 16, 1962, entitled, "An Act To authorize the governing bodies of all counties having populations of not less than 24,600 nor more than 25,300 according to the last or any subsequent federal decennial census, to regulate the minimum size of lots and the planning and constructions of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in such counties." (Acts of Alabama 1962, p. 164).

Also:

S. 913. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, abolishing the office of county or deputy solicitor in such counties and conferring the duties of such office upon the district attorney.

Also:

S. 914. Relating to counties having a population of not less than 23,900 nor more than 24,450 and fixing the salary to be paid a deputy at not less than three hundred dollars per month, the said salary to be paid to a deputy in a position not now receiving such salary from the county, with the amount to be paid to be fixed by the county Board of Revenue or like governing body, and providing that the same be paid by the county.

Also:

S. 915. To repeal Act No. 88, H. 208, Second Special Session 1965 (Acts 1965 Second Special Session v. 1, p. 118) an Act to prescribe the duties of the county solicitor or the prosecutor of the inferior courts, including the intermediate courts, of counties having populations of not less than 21,900 nor more than 22,300 according to the most recent or any subsequent federal decennial census.

Also:

S. 918. To regulate the compensation of jurors in counties having populations of not less than 23,900 nor more than 24,450.

Also:

S. 919. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, providing additional expense allowances for members of the county board of education.

Also:

S. 920. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Also:

S. 921. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census; authorizing the sheriff to appoint an additional deputy sheriff and providing compensation.

Also:

S. 922. To apply only in counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, regulating and providing for the payment of compensation of election officers.

Also:

S. 923. To apply only in counties having populations of not less than 23,900 nor more than 24,450 providing expense allowances payable from the county treasury for the coroners of such counties.

Also:

S. 924. To apply only in counties having populations of not less than 23,900 nor more than 24,450, fixing the compensation of members of the jury commission.

Also:

S. 925. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 23,900 nor more than 24,450, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

S. 927. Relating to counties having a population of not less than 23,900 nor more than 24,450, fixing the fee for issuance of a pistol permit by the sheriffs in such counties and providing for the distribution and use of such fees.

Also:

S. 935. To authorize establishment of branch banks in Barbour County.

Also:

S. J. R. 71. Naming the infirmary at Florence State University in honor of Dr. Thomas L. Bennett.

Also:

S. J. R. 72. Naming the health, physical education, and recreation building at Florence State University in honor of Hubert A. Flowers.

Also:

S. J. R. 73. Naming the science building at Florence State University in honor of Dr. Homer H. Floyd.

Also:

S. J. R. 74. Naming the auditorium at Florence State University in honor of Dr. Ethelbert B. Norton.

JAMES S. CLARK,  
Chairman.

#### SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

#### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Harris:

S. 1123. To make an appropriation from the Alabama Special Educational Trust Fund to the Limestone County Board of Education for remodeling the New Hope Junior High School.

Committee on Finance and Taxation.

By Mr. Branyon:

S. 1124. To create and provide for a county court in counties having a population of not more than 10,660, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Clark:

S. 1125. Relating to Barbour County; providing for payment of salaries and expenses of sheriff's office relating to maintaining traffic control and law and order in County from Highway and Traffic Fund of Barbour County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Barbour County; providing for payment of salaries and expenses of sheriff's office relating to maintaining traffic control and law and order in County from Highway and Traffic Fund of Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Commission, Board of Revenue, or like governing body of Barbour County is hereby authorized to pay from the Highway and Traffic Fund of Barbour County, or from the General Fund, as the governing body may direct, such portion of the salaries and expenses in the Sheriff's department as the governing body of Barbour County deems necessary to maintain traffic control and law and order in said County.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me August 16, 1971.

SHERRY HARRISON,  
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 1126. To amend Act No. 1174, H. 1047, Regular Session, 1969, so as to provide further for the appointment and compensation of deputies, jailors, and assistants of the sheriff of Barbour County and repeal conflicting laws.

Committee on Local Legislation No. 1.



With notice and proof thereto attached and herewith exhibited as follows:

## NOTICE

STATE OF ALABAMA  
COUNTY OF BARBOUR

Notice is hereby given that a bill, substantially as follows, will be introduced in the legislature of Alabama and application for its passage and enactment into law will be made. The bill will be for the purpose of providing further for the appointment and compensation of deputies, jailors and other assistants for the sheriff of Barbour County. The bill will amend Act No. 1174 H. 1047, of the Regular Session of 1969 (Acts of 1969, p. 2191) so as to specify the number of assistants, including deputies, jailors and other helpers, which the sheriff of Barbour County may employ and to prescribe the maximum compensation for each class of such assistants. The bill will also provide for the payment of the compensation of such assistants out of the county treasury and authorize the county commission or other governing body to designate the fund therein from which such compensation shall be paid. The bill will contain a provision specifically repealing all laws or parts of laws in conflict with it.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me August 16, 1971.

SHERRY HARRISON,  
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 1127. To provide for all monies in the public highway and traffic fund of Barbour County to be transferred to the general fund of the county; authorizing the transfer of certain monies hereafter accruing in said public highway and traffic fund to the general fund or said county, at the discretion of the county governing body and providing for the use of such monies so transferred.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for all monies in the public highway and traffic fund of Barbour County to be transferred to the general fund of the county; authorizing the transfer of certain monies hereafter accruing in said public highway and traffic fund to the general fund of said county, at the discretion of the county governing body and providing for the use of such monies so transferred.

Be It Enacted by the Legislature of Alabama:

Section 1. All monies on deposit in the public highway and traffic fund of Barbour County on the effective date of this Act shall immediately be transferred to the general fund of the county, and all monies thereafter accruing from motor vehicle licenses and drivers' licenses issued in said county may like wise be deposited in the general fund of the county, at the discretion of the county governing body. All such monies shall, however, continue to be used for the purposes for which they are dedicated.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effectively immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me August 16, 1971.

SHERRY HARRISON,  
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Clark:

S. 1128. To authorize the governing body of Barbour County to appropriate funds out of the county highway and traffic fund for expenses necessary for the construction and maintenance of roads.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the governing body of Barbour County to appropriate funds out of the county highway and traffic fund for expenses necessary for the construction and maintenance of roads.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Commission, Board of Revenue or other governing body of Barbour County is hereby authorized to appropriate, out of the county highway and traffic fund, any monies necessary for the payment of salaries and expenses commensurate with the duties of the members and employees of said governing body with respect to roads and bridges.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joel P. Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Eufaula Tribune, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

JOEL P. SMITH.

Sworn to and subscribed before me August 16, 1971.

SHERRY HARRISON,  
Notary Public.

My Commission Expires December 30, 1973.

By Mr. Carr:

S. 1129. Relating to Marshall County; providing for the operation of cemeteries; Requiring individuals, corporations, partnerships or governmental bodies which may now or at any future date own, lease, operate or maintain a cemetery in Marshall County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

#### AN ACT

Relating to Marshall County; Providing for the interment or burial of dead human bodies; Requiring individuals, corporations, partnerships or governmental bodies which may now or at any future date own, lease, operate or maintain a cemetery in Marshall County:

Be It Enacted by the Legislature of Alabama:

Section 1. After the effective date of this act, it shall be the responsibility of any individual, corporation, partnership or governmental body that may now, or at any future date own, lease, operate or maintain a cemetery for interment of dead human bodies in Marshall County, to furnish all labor, machinery, tools or implements necessary for the opening or digging and closing or filling of any grave for the interment of dead human bodies. Reasonable charges may be established and made for said opening and closing of graves by any individual, partnership, corporation, municipality or any other governmental body provided, however, that in no instance shall said charges exceed those generally charged for such services.

Section 2. Any person, firm, corporation or governmental body having charge of a cemetery shall be responsible for the upkeep of the premises, shall keep lawns trimmed and reasonably free from trash and debris.

Section 3. Any person, firm, corporation or governmental body in violation of this Act, which is hereby declared a misdemeanor, must on conviction, be fined not more than five hundred (\$500.00) dollars.

Section 4. All general, local or special laws, or part of such laws, which conflict with this Act are hereby repealed.

Section 5. If any clause, sentence, paragraph, or section of this Act shall for any reason be adjudged by any Court of competent jurisdiction, to be invalid, unconstitutional, or otherwise unlawful, such judgment shall not affect, impair, or invalidate any other portion of this Act but shall be confined in its operation to the clause, sentence, paragraph or section directly involved in the controversy in which judgment shall be granted.

Section 6. This Act shall become effective upon its passage by the Legislature and approval by the Governor, or otherwise becoming law.

#### STATE OF ALABAMA MARSHALL COUNTY

Before me, a Notary Public, in and for said State and County personally appeared the undersigned, Pat M. Courington who being first duly sworn according to law, desposes and says that he is the publisher of The Sand Mountain Reporter, a newspaper of general circula-

tion, published at Albertville, in Marshall County, Alabama; that the attached notice, which is a part of this affidavit, was published in the issues of said newspaper, dated July 27, 1971 and August 3, 10 and 17th 1971.

PAT M. COURINGTON,  
Publisher.

Sworn to and subscribed before me this the 17 day of August 1971.

LOUISE H. HIBBS,  
Notary Public.

My Commission Expires 4-11-75.

By Mr. Cooper:

S. 1130. To repeal Act No. 689, S. 429, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1283), entitled, "An Act To authorize the Director of Conservation to open a season in counties having a population of not less than 18,000 nor more than 19,400 for the hunting of female deer or unantlered male deer."

Committee on Local Legislation No. 1.

By Mr. Cooper:

S. 1131. To repeal Act No. 79, S. 60, approved July 9, 1962, Special Session 1962 (Acts 1962, p. 101), entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

Committee on Local Legislation No. 1.

By Mr. Owen:

S. 1132. Relating to counties having populations of not less than 57,000 nor more than 61,000; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

Committee on Local Legislation No. 1.

By Messrs. Lindsey, O'Bannon, Lybrand, Harris, Fine, Pierce and Edington:

S. 1133. To amend Title 22, Section 258, Code of Alabama 1940; to provide for the penalty for possession of any marijuana, cannabis Americana, or cannabis Indica, or any compound or mixture containing any marijuana, cannabis Americana or cannabis Indica, or any derivative therefrom or thereof or synthetic equivalents of the substances contained in the plant, or in the resinous extractives of cannabis or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as tetrahydrocannabinol and its optical isomers, or any cigar or cigarettes made of or containing any marijuana, cannabis Americana or cannabis Indica or such synthetic equivalents or derivatives.

Committee on Judiciary.

By Messrs. Register, Givhan and Clark:

S. 1134. Relating to taxation: Exempting nuclear fuel assemblies together with the nuclear material contained therein and other fissionable, fusionable or nuclear materials used or useful in the production of electricity by persons regularly engaged in furnishing electricity to another person or other persons from state, county and municipal taxes, licenses, fees and excises.

Committee on Commerce, Transportation  
and Common Carriers.

By Mr. Register:

S. 1135. To amend Act No. 265, Regular Session 1963 (Acts 1963, p. 696) which Act authorizes the incorporation of Airport Authorities, to provide for the number of members of the Board of Directors of such Authority, the manner in which they shall be elected and to provide for the term of office of the members of said Board of Directors, to authorize the acquisition by eminent domain, construction, installation, equipping, maintaining and operating sanitary and storm sewer systems, water, electric and gas systems, upon, adjacent to, in connection with or for the furtherance of the use of any airport, heliport, aircraft landing area or manufacturing, industrial or retail shopping area owned or operated by the Authority, to provide for the employment of security guards by such Authorities, to authorize any county, city or other political subdivision, public corporation, agency or instrumentality of this State to furnish at the request of such Authority fire and air crash equipment of all kinds and personnel to properly operate such equipment at any airport, heliport or aircraft landing area owned, operated or used in connection therewith by such Authority, to prohibit any county, city or town from requiring the payment of any tax or privilege license by any person, firm or corporation for the reasonable use of its public streets, roads or highways in going to or from any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of such Authority, and to validate all contracts entered into or legal actions heretofore instituted by any de facto or de jure Authority organized under said Act No. 265, Regular Session 1963.

Committee on Commerce, Transportation  
and Common Carriers.

By Mr. McLain:

S. 1136. Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1137. To repeal Act No. 16, H. 2, approved March 18, 1963, First Special Session 1963 (Acts 1963, p. 85), entitled "An Act To fix the compensation of deputy solicitors of counties having populations of not less than 12,500 nor more than 13,500 and providing for payment thereof from the county treasury."

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1138. To amend the title and Section 1 of Act No. 58, S. 121, Special Session 1964 (Acts 1964, p. 78) which authorizes the licensing and regulation of hunting on certain hunting preserves, prescribes fees for such licenses, provides for collection and distribution thereof, and prescribes penalties for violations, in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1139. To amend the title and Section 1 of Act No. 1244, H. 1545, Regular Session 1969 (Acts 1969, p. 2345) which provides further for certain fees allowed to judges of probate, in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1140. To repeal Act No. 63, H. 5, approved August 24, 1964, Special Session 1964 (Acts 1964, p. 85), entitled, "An Act To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers."

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1141. To amend the title and Section 1 of Act No. 1235, H. 1526, Regular Session 1969 (Acts 1969, p. 2333) which fixes the compensation of the deputy district attorney and provides for payment thereof from the county treasury, in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Gilmore:

S. 1142. To amend Code of Alabama, 1940, Title 5, Section 131, so as to authorize and approve the use of automatic unmanned cash dispensing machines by banks on each day of the week including Sunday.

Committee on Banking.

By Messrs. Cooper and Foshee:

S. 1143. To provide and create an independent corporate governmental agency which may purchase existing mortgages from financial institutions within the State of Alabama and direct the proceeds from the liquidated mortgage investments into new mortgages on residential real property; and to vest such corporation with all powers, authorities, rights, and privileges necessary to enable it to accomplish its purpose.

Committee on Commerce, Transportation  
and Common Carriers.

By Messrs. Noonan and Cooper:

S. 1144. Creating the Good Neighbor Commission of Alabama as a permanent state Commission; prescribing certain powers and duties for said permanent state commission; appropriating funds for its expenses during the 1971-73 biennium; providing for transportation facilities for the Commission and for expenses of the Commission.

Committee on Finance and Taxation.

By Mr. McLain:

S. 1145. To further amend Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1605) which creates the Alabama Space Science Commission and provides for its membership, terms, authority and duties, so as to provide that the employees of said Commission shall be eligible for participation in the state health insurance plan and the state retirement system.

Committee on Judiciary.

By Mr. Hammond:

S. 1146. To fix the salary for the County Solicitor (Deputy District Attorney) of DeKalb County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To fix the salary for the County Solicitor (Deputy District Attorney) of DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the County Solicitor (Deputy District Attorney) of DeKalb County is fixed at \$7200.00. The salary shall be paid in equal monthly installments out of the general funds of DeKalb County by the DeKalb County Commission or other governing body of said County.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF DEKALB

Before me the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle who being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice



having appeared in the issue of said paper on July 22, July 29, August 5, and August 12, all in the year, 1971.

JERRY E. WHITTLE,  
General Manager.

Sworn to and subscribed before me on this the 16th day of Aug., 1971.

RANDALL COLE,  
Notary Public.

My Commission Expires: 8-9-73.

By Mr. Hammond:

S. 1147. To alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Fyffe, DeKalb County, Alabama, be, and the same are hereby altered or re-arranged so as to include within the corporate limits of said town all territory lying within the following described lands, to-wit:

South half and Northwest fourth and Northwest fourth of Northeast fourth of Section 10; and

Southeast fourth of Southwest fourth and Northwest fourth and Northwest fourth of Northeast fourth of Section 3; and

Northeast fourth of Northeast fourth of Section 15; and

West half of Northwest fourth and Southeast fourth of Northwest fourth and South half of Northeast fourth and North half of Southeast fourth of Section 14; and

All of Section four; and

East half of Southeast fourth and Northwest fourth of Northwest fourth of Section 9; and

East half of Northeast fourth and North half of Southeast fourth of Section 5; and

East half of Northeast fourth and southwest fourth of Northeast fourth and Southeast fourth of Northwest fourth and East half of Southeast fourth and Southwest fourth of Southeast fourth of Section 8; and

West half of Northeast fourth and Southeast fourth of Northwest fourth and North half of Southwest fourth of Section 17; and

South half of Southeast fourth of Section 18; and

Northeast fourth of Northwest fourth of Section 19,

All in Township 7, South of Range East. Also,

East half of Southeast fourth of Section 33; and

Southwest fourth of Section 29; and

East half of Northwest fourth and Southwest fourth of Northeast fourth and Northeast fourth of Southwest fourth and Northwest fourth of Southeast fourth and South half of Southwest fourth and South half of Southeast fourth of Section 32; and

Northeast fourth of Southeast fourth of Section 30,

All in Township 6, South of Range 7 East.

Section 2. The outside boundaries of the territory described in Section 1 of this Act along with the outside boundaries of the existing corporate limits of the Town of Fyffe, Alabama, where not extended by the land added in Section 1, and all the territory included and embraced within said boundaries within the boundaries of the existing town limits of the Town of Fyffe shall hereafter be and constitute the Town of Fyffe.

Section 3. That all laws and parts of laws, both general and special and local and conflict with this Act be, and the same are hereby repealed.

Section 4. That this Act shall go into effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

#### STATE OF ALABAMA

#### COUNTY OF DEKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle who being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 20, July 27, August 3, and August 10, all in the year, 1971.

JERRY E. WHITTLE.

Sworn to and subscribed before me on this the 10th day of August, 1971.

MARY RUTH BROWN,  
Notary Public.

My Commission Expires: 1-29-73.

By Mr. Hammond:

S. 1148. Relating to DeKalb County; to provide for juries composed of six members for trial of certain cases in the DeKalb County Court.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to DeKalb County; to provide for juries composed of six members for trial of certain cases in the DeKalb County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. The trial of all civil and criminal cases in the DeKalb County Court which according to law are triable by jury shall be tried by a jury composed of six members to be drawn, summoned, selected, and empaneled as provided in Code of Alabama 1940, Title 30, except that the list from which any six-man jury is to be struck may consist of a minimum of 12 jurors instead of the minimum number prescribed by Section 62 of said Title 30.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional the remainder of the Act shall not be affected but shall remain in full force and effect.

Section 4. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF DEKALB

Before me the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle who being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 22, July 29, August 5, and August 12, all in the year, 1971.

JERRY E. WHITTLE,  
General Manager.

Sworn to and subscribed before me on this the 16th day of Aug., 1971.

RANDALL COLE,  
Notary Public.

My Commission Expires: 8-9-73.

By Mr. Hammond:

S. 1149. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE

Notice is hereby given that at this or the next regular or special session of legislature of the State of Alabama, a Bill, substantially as follows, will be introduced.

### A BILL TO BE ENTITLED AN ACT

An act relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Geraldine in DeKalb County are hereby altered, rearranged and extended to include within the corporate limits of the Town of Geraldine the following described territory, in addition to that already within the incorporated limits, to-wit:

The South half of the Southeast fourth of Section 34, Township 7 South, Range 6 East. The Northwest Fourth of the Northeast Fourth of Section 3, Township 8 South, Range 6 East. The West Half of the Northeast Fourth of Section 10, Township 8 South, Range 6 East. The South Half of the Southwest Fourth of the Southeast Fourth of Section 10, Township 8 South, Range 6 East. The Southeast Fourth of the Northeast Fourth of Section 16, Township 8 South, Range 6 East. The South Half of the Northwest Fourth, the Southwest Fourth of the Northeast Fourth, the Northwest Fourth of the Northeast Fourth, all in Section 15, Township 8 South, Range 6 East in DeKalb County, Alabama.

Said area all lying in DeKalb County, Alabama.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF DEKALB

Before me the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle who being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issue of said paper on July 22, July 29, August 5, and August 12, all in the year, 1971.

JERRY E. WHITTLE,  
General Manager.

Sworn to and subscribed before me on this the 16th day of Aug., 1971.

RANDALL COLE,  
Notary Public.

My Commission Expires: 8-9-73.

### REPORTS OF COMMITTEES

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. King, Vacca, Cook, Bailes and Dominick:

S. 320. To amend Sections 1 and 3 of Act No. 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of obligations of public corporations and public bodies.

By Messrs. King, Vacca, Cook, Bailes and Dominick:

S. 321. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of obligations of counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris (with substitute):

S. 929. Providing for the creation of a lien on land and improvements in favor of those who furnish tools, appliances or machinery for use in construction and improvements thereon.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gafford, et al:

H. 77. To require election officials to make an additional copy of the returns for each polling place at any state, county, municipal or local election and deliver it to the Probate Judge who shall preserve it as a public record for at least 1 year; making it a misdemeanor to fail to comply with the provisions of this Act.

By Mr. Hobbie, et al:

H. 161. To establish a code of ethics for governmental affairs in the State of Alabama for elected state officials, members of the Legis-

lature, members of boards and commissions, employees, and other persons; to establish the Alabama Board of Ethics for State Elected Officials and fix its powers and duties in connection with said code with respect to elected state officials; to establish a legislative code of ethics and provide for its enforcement; to establish the Alabama Commission on Governmental Ethics and fix its powers and duties in connection with said code with respect to state employees and members of boards and commissions; and to authorize and direct the State Personnel Department to provide investigative and administrative services for the said Commission and Board in connection with said code, to provide prescriptive periods with respect thereto; and to provide civil and criminal penalties in connection with certain violations hereof.

By Mr. Cauthen, et al:

H. 175. Relating to the Eighth Judicial Circuit; providing for additional circuit court judge in such circuit.

By Mr. Merrill:

H. 268. To further amend Act No. 249, H. 492, of the Regular Session of 1967 (Acts, Regular Session 1967, p. 629) as amended, which provides for the organization, creation, and operation of the state law institute so as to provide further for the composition of the governing body of the institute.

By Mr. Hill, et al:

H. 334. To provide for the alternative sentencing of minors, providing for the arraignment and trial as youthful offenders, admissibility of statements, disposition of youthful offenders, and the effect of a determination as a youthful offender.

By Mr. Hill:

H. 340. To provide further for appeals in cases in equity from circuit courts, courts of like jurisdiction and all other courts of record, which have court reporters and from which appeals lie directly to the Supreme Court or the Court of Appeals of Alabama; to prescribe the manner in which evidence shall be transcribed and made a part of the record, and for assignment of error on the record.

By Mr. Hill:

H. 345. To allow prospective jurors to be excused without the presence of the defendant in any Judicial Circuit of Alabama.

By Mr. Hill:

H. 346. To regulate further the excusing of persons from jury service in the Circuit Courts of the State; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

By Mr. Lutz, et al:

H. 652. To provide that it shall be a criminal offense to present a forged or counterfeit drivers license and to provide the punishment for such offense.

By Mr. Hobbie, et al:

H. 732. To establish the Alabama Peace Officers Standards and Training Commission; to prescribe its functions, duties and powers relating to the selection, recruitment and training of law enforcement

officers and the work of law enforcement agencies in the State; to prescribe minimum standards for law enforcement officers; to grant to the Commission power to establish standards and issue and promulgate rules and regulations; to make the violation of certain provisions of this Act or the Standards, rules and regulations of the Commission a misdemeanor; to establish the Alabama Peace Officers Standards and Training Commission Fund to make biennial appropriations from such Fund to the Commission for the fiscal years 1971-72 and 1972-73; to authorize participation in the program of the Commission by State, county and municipal law enforcement agencies.

By Messrs. Merrill, Owens and Stewart:

H. 844. To provide that the disability or death of a municipal law enforcement officer or state trooper caused by hypertension, heart disease or respiratory disease shall be considered as a service connected disability or death, subject to certain conditions prescribed in the Act, within the meaning of any laws which provide benefits for municipal law enforcement officers or state troopers who while employed by a municipality, are disabled in the line of duty or for the widow, children or other dependents of city policemen or other municipal law enforcements officers or state troopers who, while employed by a municipality, are killed in the line of duty.

By Mr. Pruitt:

H. 970. Relating to Livingston University, a state educational institution, formerly named Livingston State College: To amend Sections 1, 2, 3, 4, 6 and 7 of Act No. 424, H. 541, Regular Session 1967 (Acts 1967, p. 1092), which created a board of trustees of Livingston State College, so as to increase the membership of the board of trustees, to provide further for meetings of the board and of its committees, to provide further for the powers and duties of the board, to prescribe a quorum of the board, to forbid members of the board and the chief executive officer of the University from engaging in certain activities and to ratify and confirm certain acts of the board of trustees and of the executive officer which have been heretofore done.

By Mr. Hobbie, et al:

H. 1892. To provide a code of ethics for members of the Legislature.

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilson:

S. 1047. To provide compensation for total disability and death due to pneumoconiosis of underground coal miners as herein defined in compliance with the mandate of the Congress of the United States as required by the provisions of public law 91-173 of the Ninety-First Congress and to provide for standards and presumptions for determining when and under what conditions total disability or death is due to pneumoconiosis as herein defined and to provide that any claim or action filed hereunder for such total disability or death shall be deemed to have been timely filed if filed as herein required within three years of the discovery of such total disability or the date of death in the case of death. And to provide for the liability for the benefits herein provided of prior and successor operators as herein defined for miners employed at such mines on or after January 1, 1973.

By Mr. Wilson:

S. 952. To amend Subsection L of Section 214, Title 26, Chapter 4, Code of Alabama 1940, as last amended by Act No. 88, 1971 Regular Session of the Alabama Legislature, relating to denial or reduction of unemployment compensation benefits for receipt of training allowances.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hawkins:

S. 1079. To repeal Section 140 of Title 23 of the Code of Alabama, 1940, which prohibits the naming of any bridge, building or institution after a living person.

By Mr. Owen:

S. 1055. To amend Section 713, Title 7, Code of Alabama 1940 as last amended, to allow legal advertisement in any newspaper regardless of where such newspaper is printed; and requiring such newspapers to be published for at least fifty-one weeks a year.

By Messrs. Weeks, Lyons and Bowers:

H. 630. To name and designate the Alabama River bridge on Interstate Highway 65 at Montgomery the "American Legion Memorial Bridge."

By Messrs. Baker and Chesnut:

H. 863. Relating to irrigation and water conservation; authorizing the state to provide financial assistance, to underwrite and to guarantee costs of a pilot irrigation and water conservation project and facilities related thereto; creating a state irrigation development trust fund; and providing for the use of such fund; prescribing the manner of repayment of any loans by the state made for the use of such project; and providing that any such project shall remain under the supervision and control of the state until all monies owed are repaid.

By Messrs. Baker and Chesnut:

H. 864. Proposing an amendment to Article IV, Section 93, as amended, of the Constitution of Alabama relative to providing irrigation and water conservation in the state.

The above Bill was read a second time at length as required by the Constitution.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Shelby:

S. 506. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.



By Mr. McLain:

S. 1010. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

By Mr. McLain:

S. 1011. Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government.

By Mr. McLain:

S. 1012. To authorize and make provision for the incorporation in any county having a population of not less than 175,000 nor more than 300,000, according to the last or any subsequent federal decennial census, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such authority to be organized, application be made to the governing body of the county in which such authority is to be organized and to the governing body of at least one municipality therein and that permission for organization of such authority be granted by each such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that the county in which any authority has been organized and each municipality which duly authorized the organization of such authority may aid and cooperate in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking, acquisition, construction and operation of airports and airport facilities of an authority organized pursuant to this act; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agent, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence and by foreclosable

mortgage on any property of such authority whether then in existence and thereafter acquired; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which such authority is organized and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

By Mr. McLain:

S. 1013. To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

By Mr. McLain:

S. 1014. To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

By Mr. McLain:

S. 1015. To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census.

By Mr. McLain:

S. 1016. Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

By Mr. McLain:

S. 1017. Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

By Mr. McLain:

S. 1018. Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments.

By Mr. McLain:

S. 1019. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities.

By Mr. McLain:

S. 1020. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceeding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

By Mr. McLain:

S. 1021. To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

By Mr. McLain:

S. 1022. To apply only in counties in the state having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

By Mr. McLain:

S. 1023. To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

By Mr. McLain:

S. 1024. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

By Mr. McLain:

S. 1025. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census.

By Mr. Cooper (with notice and proof):

S. 1061. Relating to Wilcox County; to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

By Messrs. Warren and Mims (With Notice and Proof):

H. 1030. Relating to judicial procedure in the Thirty-Fifth Judicial Circuit; regulating and providing further for the separation of the jury by consent in felony cases in such circuit.

By Messrs. Warren and Mims (with notice and proof):

H. 1031. To regulate further the excusing of persons from jury service in the Thirty-Fifth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

By Messrs. Warren and Mims (with notice and proof):

H. 1032. To allow prospective jurors in capital cases to be excused without the presence of the defendant in the Thirty-Fifth Judicial Circuit of Alabama.

By Messrs. Warren and Mims:

H. 1377. To repeal Act No. 296, H. 506, approved August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 413) entitled, "An Act Relating to counties having populations of not less than 17,400 nor more than 17,800; to provide clerical assistants for the office of the judge of probate of such counties, and to provide a clerk hire allowance for such county judges of probate, payable out of the general funds of the county."

By Messrs. Warren and Mims:

H. 1378. To repeal Act No. 241, H. 441, approved, August 15, 1963, Regular Session 1963 (Acts of Alabama 1963, p. 652) entitled, "An Act To provide further for the compensation of the county or deputy solicitor in all counties having populations of not less than 17,400 nor more than 17,800, according to the last or any subsequent federal decennial census."

By Messrs. Warren and Mims:

H. 1379. To repeal Act No. 356, H. 897, approved, August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 494) entitled, "An Act To provide the tax assessors of counties having populations of not less than 17,400 nor more than 17,800 an allowance for clerical assistance, such allowance to be payable out of the general funds of the county."

By Messrs. Warren and Mims:

H. 1380. To repeal Act No. 295, H. 505, approved August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 412) entitled, "An Act To provide an additional clerical allowance to the circuit clerk of all counties having populations of not less than 17,400 nor more than 17,800, such allowance to be payable out of the general funds of the county."

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Dill, et al (with substitute):

H. 536. To authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct off-street parking facilities, including real property therefor, within 350 feet of a county courthouse, to provide parking for public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having business with such county and with public officials having offices in the courthouse, to operate or lease to others such off-street parking facilities, to levy and collect or to fix charges and fees for the use of such off-street parking facilities and to accept grants with respect to such facilities, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facilities shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required.

By Messrs. Timmons, Parker (H) and Waggoner (with substitute):

H. 782. To amend Section 73, Title 29, Code of Alabama, 1940, prescribing the sites which are unlawful for the establishment of liquor stores and other sites which are unlawful for the sale of alcoholic beverages, and providing further for any county having a population of five hundred thousand or more.

By Mr. Falkenburg, et al (with notice and proof) (with substitute):

H. 1262. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Bowers, et al (with amendment):

H. 783. To provide for the appointment and employment of law students to serve as Law Clerks for the Circuits Judges in counties of this State having a population of not less than 600,000 according to the last or any subsequent Federal census; to define eligibility for appointment; and to fix the salary of such Law Clerk;

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Doss, et al:

H. 794. To amend Act No. 405 of the Regular Session of the Legislature of Alabama of 1967, approved September 7, 1967, (Ala. Acts, 1967, p. 1021 et seq.) which levied in each county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a privilege or license tax upon persons engaged in the business of selling personal property or conducting places of amusement or entertainment, generally paralleling the State sales tax, and an excise tax on the storage, use or consumption in said county of tangible personal property purchased at retail, generally paralleling the State use tax.

By Messrs. Cherner, Dill and McBride:

H. 846. To regulate the handling, control, custody and disposition of all official or trust funds by clerks or deputy clerks or registers in chancery who also serve as deputy clerks of the circuit court in counties in this state having a population of 500,000 or more according to the last or any subsequent Federal census; to provide that the county commission or like governing body in such counties shall name the depositories to receive such funds, and may provide that any of such funds may be invested; to provide that such circuit clerks or deputy clerks or registers in chancery who also serve as deputy clerks shall be relieved from personal liability for any loss by reason of the failure of any depository designated by the aforesaid county commissions or like governing body; that such clerks or deputy clerks or registers in chancery who also serve as deputy clerks of the circuit court shall disburse such funds in accordance with the judgments, orders and decrees of any judge of the circuit court sitting in and for such counties; that any clerk or deputy clerk or register in chancery who also serves as deputy clerk of the circuit court who fails to comply with the provisions of this Act shall be guilty of wilful neglect of duty; that all laws or parts of laws, local, special or general, in conflict with this Act are hereby repealed.

By Mr. Timmons, et al (with notice and proof):

H. 1025. To amend Act No. 22 of the Second Special Session of 1956, approved March 23, 1956 (Ala. Acts, Special Sessions of 1956, Page 290 et seq.), relating to deductions from salary and rights and benefits and pensions and relief of members and former members of

the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama of 1943, approved June 28, 1943 (General Acts Alabama 1943, page 264) and the predecessors of said Act.

By Mr. Erdrseich, et al:

H. 1029. Relating to counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; providing for the limited cancellation of sales agreements resulting from solicitation at the residence of the buyer, and providing procedures for and remedies of cancellation.

By Messrs. Parker (H), Jones (E) and Timmons:

H. 1084. To amend Sections 1, 3, 6 and 7 of Act Number 453 of the 1967 Regular Session of the Legislature of Alabama (1967 Acts of Alabama, Page 1129, et seq.), entitled "An Act to create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent federal census a pension and relief fund for officers and employees of the library board of such city, and for the widows and dependents of such officers and employees, to provide for a custodian of such fund, and to provide for the investment, protection, management and distribution of such fund by a board of managers created for such purpose."

By Messrs. Parker (H), Timmons and McBride:

H. 1086. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a policeman's pension system for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241, et seq.), as heretofore amended.

By Messrs. Parker (H), Jones (E) and Timmons:

H. 1087. To amend the Title and Section 1 of Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Acts of Alabama of 1959, page 1376, et seq) which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief or Retirement and Relief System established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq) as amended, and on whose account or for whose benefit the city by whom they are employed makes no contribution or pays no tax to the United States of America under the Federal Social Security Act.

By Messrs. Parker (H), Jones (E) and Timmons:

H. 1088. To amend Section 4 of Act No. 100 of the 1964 1st Special Session of the Legislature of Alabama (Acts of Alabama, 1st and 2nd Special Sessions 1964, page 157) entitled "An Act to apply in and only in each city in this state having a population of 300,000 or more, according to the last or any subsequent decennial federal census; to provide for the creation of the office of City Magistrate and the appointment of City Magistrates; to define the qualifications, powers and duties of City Magistrates; and to provide for search warrants and warrants of arrest."

By Mr. Erdreich, et al:

H. 1216. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the further power to levy and collect each year an additional tax of one-half of one per centum based upon the value of the property therein as fixed for state taxation, such additional tax to be levied only when authorized by the qualified electors of said City at an election called for such purpose, the adoption of such amendment not to affect, limit, modify, abridge, or impair the power of such City to levy and collect any special school taxes now vested or hereafter conferred upon it under the Constitution, or any amendment thereto.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Falkenburg, et al (notice and proof):

H. 1261. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) establishing the "Criminal Court of Jefferson County," as heretofore amended.

By Mr. Parker (H), et al:

H. 1390. To further amend Subsection (a) of Section 12 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951 page 1579, et seq) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children: to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

By Mr. Bowers, et al:

H. 1406. To propose an Amendment of Amendment CCXXXIX of the Constitution of Alabama of 1901, providing for the creation of fire protection or garbage and trash disposal districts in Jefferson County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Bowers, et al (with notice and proof):

H. 1407. To authorize any fire district in Jefferson County, Alabama, created under Act No. 79 of the Special Session of the Legislature of Alabama of 1966 (Ala. Acts, Special Session 1966, p. 106 et seq.), hereinafter called "Fire District", and any municipality to enter into contracts providing for either party, or both parties, to any such contract to make its fire equipment, or facilities, and its services, in preventing or fighting fires, available to the other party; to authorize any district to enter into a contract with any person providing for the district to make its facilities, or equipment, and its services available to such person or such person's property; and to provide that in executing or per-



forming any contract provided for by this act the district shall be engaged in a governmental function, and that governmental immunity from liability shall apply.

By Mr. Bowers, et al (with notice and proof):

H. 1408. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

By Mr. Falkenburg, et al:

H. 1519. To create and establish a court in Jefferson County with limited jurisdiction with the Circuit Court for the limited purpose of disposing of non-capital felony criminal cases on an information, before indictment, under Title 15, Article 8 of Chapter 11 of the Code of Alabama of 1940 as recompiled in 1958, and to act on matters pertaining to probation in such cases; to provide for the officers of such court and to fix their duties.

By Mr. Bowers, et al:

H. 1525. To provide that when any vacancy occurs on the governing body of any county of this State having a population of 500,000, or more, according to the last or any subsequent Federal census, a special election shall be held under the provisions of Chapter 19, Title 17, Code of Alabama of 1940, subject to the changes in the provisions of said Chapter 19, as are provided for by this Act.

By Mr. Adwell, et al:

H. 1541. To apply to every city of this State having a population of 300,000 or more, according to the last or any subsequent federal census, and to each pension system established by any law of this State, heretofore or hereafter adopted, for either firemen or policemen of such city, providing such pension system has been, or shall have been, for a period of 25 consecutive years closed within the meaning of this Act; to provide that a firemen's pension system is a closed pension system within the meaning of this Act when the law governing such system provides that no person entering the employment of the Fire Department of such city after a date specified in said law shall become, or be, a member of such firemen's pension system; to provide that a policemen's pension system is a closed system within the meaning of this Act when the law governing such system provides that no person entering the employment of the Police Department of such city after a date specified in said law shall become, or be, a member of such policemen's pension system; to provide that any retirement benefit, disability benefit or widow's benefit or other benefit paid to a member of the system shall be called "a benefit" and that any person receiving a benefit shall be called "the beneficiary"; to prescribe for any beneficiary, or beneficiaries, to enter into a contract, or contracts, with an attorney, or attorneys, whereby the beneficiary, or beneficiaries, employ the attorney, or attorneys, to perform legal services in endeavoring to secure an increase in benefits for the beneficiary or beneficiaries; to provide that any such contract of employment may contain a provision for the city to deduct the attorney's fee provided for in the contract of employment, from any increase in benefits sought by the attorney, or attorneys, and actually obtained for the beneficiary, or beneficiaries, which last mentioned provision is called in this Title, and in this Act, "The Deduction Provision"; to provide that when the

contract of employment contains a deduction provision, the disbursing officer, for the pension system or the city, shall deduct from any increase in benefits the attorney's fee in accordance with the provisions of the deduction provision and shall pay such fee to the attorney entitled to the same, or to the attorney's appointee: to provide that any beneficiary of the pension system can enter into such contract of employment by and through an agent, provided such beneficiary has signed a written power of attorney authorizing such contract; to provide the terms and conditions on which the deduction of the attorney's fee shall be made; to provide that the city shall have the right to require, as a condition to deducting any such attorney's fee, that the attorney file an indemnifying bond, or deposit security, with the disbursing officer of the city or pension system, the disbursing officer and all beneficiaries against damage or loss arising from the illegal, improper or unauthorized deduction of an attorney's fee; to repeal all laws or parts of laws, whether general, special or local, in conflict with the provisions of this Act; and to provide when this Act shall become effective.

By Mr. Doss, et al:

H. 1789. To provide for the filing for record and the preservation of all orders and Decrees made and entered by any Judge of the Circuit Court in all counties having a population of 500,000 or more according to the last or any subsequent federal census.

By Mr. Gafford, et al:

H. 1852. Relating to counties having populations of 600,000 or more; to require election officers to make an additional copy of the returns for each polling place at any state, county, municipal or local election and deliver it to the Probate Judge who shall preserve it as a public record for at least 1 year; making it a misdemeanor to fail to comply with the provisions of this Act.

By Mr. Jones (E), et al (with notice and proof):

H. 1877. To authorize any Lieutenant in the Police Department of the City of Bessemer to issue warrants of arrest.

### UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business for today, the first item of which was the Resolution:

S. R. 65. Setting Special Orders.

On motion of Mr. Wilson, said Resolution was then adopted by the Senate.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Givhan	Lybrand	Vacca
Clark	Hammond	McLain	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—29

Nays:

—0

Mr. Wilson then moved that further consideration of the Bill, S. B. 59, be postponed until the Thirtieth Legislative Day as Unfinished Business, which motion was granted by unanimous consent.

On motion of Mr. Wilson, further consideration of the Bill, H. B. 50, was postponed until the Thirty-second Legislative Day.

Yeas 19; Nays 12.

*Yeas:*

Messrs.:	Foshee	Lindsey	O'Bannon
Branyon	Givhan	Littleton	Owen
Clark	Hammond	McLain	Pierce
Cooper	Harris	Malone	Register
Dozier	Horne	Noonan	Wilson

—19

*Nays:*

Messrs.:	Dominick	Gilmore	King
Bailes	Edington	Hawkins	Lybrand
Carr	Fine	Jones	Vacca
Cook			

—12

#### MOTION TO RECONSIDER

Mr. Bailes moved that the Senate reconsider the vote by which the Resolution, S. R. 65, was adopted.

#### RECESS

At 12:20 P. M., on motion of Mr. Wilson, pending further consideration of the motion relative to S. R. 65, the Senate took a recess until 1 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

#### FURTHER CONSIDERATION OF S. R. 65

The Senate proceeded to further consideration of the Resolution, S. R. 65. The question was on the motion to reconsider the vote by which said Resolution, S. R. 65, was adopted.

On motion of Mr. Bailes, the motion to reconsider was postponed temporarily.

#### CALENDAR BILLS POSTPONED TO DAY CERTAIN

On motion of Mr. Wilson, further consideration of the Bills, H. B.'s 46, 47 and 49, was postponed until the Twenty-ninth Legislative Day.

Yeas 22; Nays 3.

*Yeas:*

Messrs.:	Edington	Jones	Pierce
Bailes	Fine	King	Register
Carr	Foshee	Lindsey	Vacca
Cook	Gilmore	Littleton	Wilder
Dominick	Givhan	McLain	Wilson
Dozier	Hawkins	Owen	

—22

*Nays:*

Messrs.:	Branyon	Noonan	Weaver
----------	---------	--------	--------

—3

## NOTICE TO AMEND RULES

Mr. Dominick offered the following Notice in Writing, to-wit:

## NOTICE IN WRITING

Notice is hereby given to amend Senate Rule 65 to read as follows:

Rule 65. The Secretary shall cause to be printed and distributed among the members of the Senate a pocket-size book or pamphlet, which shall include the following information: (a) a picture and brief biography of each Senator, his address, home and business phone, and committee assignments; (b) a list of Senate committees and their memberships; (c) Senate and joint rules; (d) Constitutional sections 44, 47, and 50 relating to legislative powers, qualifications, and compositions; and (e) Instructions for the drafting of bills.

Which was read and ordered spread upon the Journal.

## NOTICE TO AMEND RULES

Mr. Dominick offered the following Notice in Writing, to-wit:

## NOTICE IN WRITING

Notice is hereby given that on the next legislative day, a motion will be made to amend the Senate Rules by adding the following new rule immediately after Senate Rule 32 and renumbering the remaining rules accordingly.

Rule 33. A quorum must be present at all times when the Senate is in session, including the times when a question is under debate; and the chair may at any time on his own motion and shall on the suggestion of any Senator instruct the Secretary to ascertain whether or not there is a quorum present. If there is less than a quorum of the Senate present those present may send for absent Senators as authorized in Rule 35, or may adjourn as authorized in Rule 1. A suggestion from a Senator for a quorum check shall be in order at all times.

Which was read and ordered spread upon the Journal.

## NOTICE TO AMEND RULES

Mr. Dominick offered the following Notice in Writing, to-wit:

## NOTICE IN WRITING

Notice is hereby given that on the next legislative day a motion will be made to amend the Senate Rules by adding the following new rule:

All bills introduced in the Senate shall have printed at the top of the bill a synopsis of the contents.

Which was read and ordered spread upon the Journal.

## NOTICE TO AMEND RULES

Mr. Dominick offered the following Notice in Writing, to-wit:

## NOTICE IN WRITING

Notice is hereby given that on the next legislative day a motion will be made to amend the Senate Rules by adding the following new rule:

No bill amending an existing statute shall be introduced in the Senate unless: (a) the subject of the bill, independent of references to code sections, is clearly expressed in the title, and (b) unless the material to be deleted is shown by cancelled type and the material to be inserted is shown by underscored type.

Which was read and ordered spread upon the Journal.

### RESOLUTIONS

Mr. Littleton offered the following Senate Joint Resolution, to-wit:

**S. J. R. 77. TO DESIGNATE CERTAIN HIGHWAYS OF ALABAMA AS THE "UNIVERSITY OF MONTEVALLO HIGHWAY"**

**BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,** That that part of Alabama Highway 25 beginning at the intersection with Alabama Highway 61 at Greensboro and running in a northeasterly direction to a point at the intersection with United State Highway 411 at Ashville and that part of United States Highway 231 running northeasterly from Vincent to the intersection thereof with Alabama Highway 25 south of Ashville be designated and known as the "University of Montevallo Highway," and the State Highway Department shall cause appropriate signs and markers to be erected along said highways so designating them.

And said resolution was read and ordered to lay over on the Secretary's Desk.

Mr. Dominick offered the following Senate Resolution, to-wit:

**S. R. 78. TO CREATE, ESTABLISH AND PROVIDE FOR THE OPERATION OF A FISCAL OFFICE FOR THE SENATE OF THE ALABAMA LEGISLATURE**

**BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA:**

1. There is hereby created a fiscal office, for the Senate of the Alabama Legislature which shall be under the supervision, direction and control of an officer designated as the director of the fiscal office. The state personnel department shall set up a register of persons eligible for the position of director of this finance office. The director shall be appointed by the fiscal committee from a list of persons eligible for the office certified to it by the state personnel department in the same manner that such department certified eligible persons for appointments to positions in the classified service of the State. The director shall not, however, be deemed a state employee in the classified service, and, except as to the manner of his appointment, shall not in any way be subject to the state merit system law. His salary shall be fixed by such committee at an amount not to exceed \$22,500.00 per annum. He may employ, subject to the provisions of the Merit System Act, such employees as are reasonably needed to effect the purposes of this Act; and he is specifically authorized when, in his opinion, he can thereby serve the legislature better, to employ, without regard to the state merit system law, such part-time and temporary help as he deems necessary. Such office shall be separate from and independent of the Legislative Reference Service.

2. The fiscal office is established for the purpose of assisting the finance and taxation committee of the Senate, other standing committees of the Senate, and the individual members of the Senate by providing budget review, fiscal analysis, and other types of financial information.

Each department and agency of the State of Alabama government is further required to make its internal records available to the fiscal office for the Senate. More specifically the fiscal office is charged with the following duties:

- (1) Analysis and review of agency operating budget requests;
- (2) Answering requests from individual Senators from fiscal information;
- (3) Evaluating legislative proposals for fiscal effect (i.e. preparing fiscal notes);
- (4) Analysis of agency capital budget requests, with the intention of helping to establish priorities;
- (5) Studying, in depth, selected executive programs during the interim between sessions of the legislature;
- (6) Reviewing, on a continuous basis, agency budgets and programs;
- (7) Checking executive revenue estimates for accuracy and possible revision;
- (8) Reviewing federal aid programs to insure that Alabama is taking full advantage of its opportunities for federal assistance;
- (9) Reviewing Alabama programs in which federal funds are involved and answering questions regarding efficiency, overlap, duplication or waste and whether the programs should be renewed or extended when federal funding runs out;
- (10) Preparing research memoranda on both the short and long range costs of executive programs;
- (11) Pointing out new sources of revenues;
- (12) Assisting committees in developing means to review periodically executive programs for efficiency and effectiveness;
- (13) Briefing Senate committee members in advance of public hearings on the most important aspects of an agency's program, and assisting the Senate committee in scheduling and preparing the agenda for the hearing; and
- (14) Performing such other duties as may be assigned by law or by the Senate fiscal committee.

3. There is hereby created a continuing legislative committee to be known as the Senate fiscal committee whose duty it shall be to supervise the operation of the fiscal office for the Senate. The committee shall consist of the chairman of the Senate Finance and Taxation Committee and four members elected from the Senate of which none shall be members of the Finance and Taxation Committee, and whose terms shall be for the quadrennium for which they have been elected to the Senate and until their successors have been elected and have qualified. The committee shall elect its own chairman and shall meet at the call of the chairman or any two members thereof, provided that the committee shall meet at least once each four months. Members shall be entitled to transportation allowances and to their regular legislative pay and per diem expenses for each day in which they are actually engaged in committee work.

4. The expenses of the legislative fiscal office shall be paid from funds appropriated to the use of the legislature, provided the total amount so expended shall not exceed the sum of \$30,000 for the fiscal year ending September 30, 1971, nor the sum of \$75,000 for each of the fiscal years ending September 30, 1972 and September 30, 1973.

5. If the Act proposed by S. 22 of the current session becomes law, then the fiscal offices hereinabove provided for shall not be established, but the members of the continuing legislative committee established pursuant to item 3 above shall serve as the representatives of the Senate on the continuing joint legislative committee established by said S. 22.

6. If the Act proposed by S. 22 of the current session does not become law, but the house of Representatives by resolution established a continuing House fiscal committee and fiscal office then such House committee and fiscal office and the Senate committee and fiscal office hereby established shall meet together and, in effect, serve as a joint committee.

Which was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake, St. John and McDonald:

H. 1650. Providing a clerk hire allowance for the county or deputy district attorney of Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Providing a clerk hire allowance for the county or deputy district attorney of Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. The county solicitor shall be entitled to an allowance of six hundred dollars (\$600) per annum for clerk hire, which shall be paid from the general funds of the county in equal monthly installments at the end of each month. The allowance provided for in this Act is in addition to any and all other allowances and compensation provided the county solicitor according to law.

Section 2. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John and McDonald:

H. 1652. To provide additional clerks for the tax assessor and the tax collector in Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide additional clerks for the tax assessor and the tax collector in Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Cullman County shall provide an additional clerk for the tax collector and an additional clerk for the tax assessor. These clerks shall be appointed by the tax collector and the tax assessor, respectively, and each shall be paid a salary of two thousand four hundred dollars (\$2,400) per annum out of any funds in the county treasury not otherwise appropriated.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by



me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John and McDonald:

H. 1653. Providing an additional expense allowance to the circuit clerk of Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Providing an additional expense allowance to the circuit clerk of Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. Providing that the circuit clerk of Cullman County shall be provided an expense allowance of \$100 per month. Such allowance, which shall be in addition to all other salary, compensation and allowances of the circuit clerk, shall be paid from the general funds of the county to which this act applies.

Section 2. The provisions of this act are cumulative.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John and McDonald:

H. 1654. Relating to Cullman County; providing clerk-hire allowances for certain county officers.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Cullman County; providing clerk-hire allowances for certain county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. Relating to Cullman County; providing that the tax collector and the tax assessor shall each be entitled to an allowance for expenses of clerk-hire in the amount of \$1,200 per annum, which allowance shall be paid to each of such officers from the general funds of the county in equal monthly installments at the end of each month.

Section 2. This Act is cumulative.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1657. Providing a clerk hire allowance to the Register in Chancery of Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Providing a clerk hire allowance to the Register in Chancery of Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. Providing that the Cullman County Register in Chancery shall be entitled to an allowance for expenses of clerk hire in the amount of \$1,200 per annum, which allowance shall be paid to such officer from the general funds of the county in equal monthly installments at the end of each month.

Section 2. This Act is cumulative.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1658. Relating to Cullman County; providing an additional expense allowance to the Judge of the Inferior Court or Intermediate Court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Cullman County; providing an additional expense allowance to the judge of the inferior court or intermediate court.

Be It Enacted by the Legislature of Alabama:

Section 1. Relating to Cullman County; providing that the judge of the inferior court or intermediate court shall be provided an expense allowance of \$2,600 per annum. Such allowance which shall be in addition to all other compensation and allowance which shall be in addition to all other compensation and allowances for such judges, shall be payable in equal monthly installments from the general funds of any county to which this act applies.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, 8, and 15, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1660. To provide expense allowances for tax assessors and tax collectors in Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide expense allowances for tax assessors and tax collectors in Cullman County.

Section 1. Providing that the tax collector and tax assessor of Cullman County shall each be entitled to an expense allowance of \$1200 per annum. Such allowance, which shall be in addition to all other allowances to such officers, shall be paid in equal monthly installments from the general funds of said county.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1663. Relating to Cullman County; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Cullman County; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The county officers listed herein below of Cullman County to which this Act applies shall be entitled to receive an annual expense allowance, which shall be in addition to any and all other salary, compensation or allowances hereto prescribed by law payable in monthly installments out of the general fund of the county, in amounts to be determined by the county governing body as being reasonable and necessary, but not exceeding the amounts herein after prescribed for such officers.

Judge of Probate .....	\$1,000
Clerk of the circuit court .....	1,000
Tax collector .....	1,000
Tax assessor .....	1,000
Chairman of the board of revenue, court of county commissioners, or other like governing body .....	1,500
Each associate member of said county governing body .....	300

Section 2. The judge of probate of Cullman County shall also be entitled to an additional clerk hire allowance of \$3,500 per annum, which shall be in addition to all other allowances authorized by law for clerical assistants for the office of judge of probate of said county which shall be payable out of the general fund of the county at the same time and in the same manner that other clerk hire allowances to such probate judge are paid.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1664. To provide an allowance for expenses to the district attorney of judicial circuits composed of Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide an allowance for expenses to the district attorney of judicial circuits composed of Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. The district attorney of the judicial circuit which is composed of Cullman County shall be entitled to an allowance for expenses in the amount of \$1,000 a year, to be paid in monthly installments from the general fund of the county composing the circuit, on requisitions signed by the solicitor. The expense allowance hereby provided shall be in addition to all other compensation and allowances prescribed by law.

Section 2. All laws parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1666. Regulating further the office of district attorney in Cullman County; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Regulating further the office of district attorney in Cullman County; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The county solicitor of Cullman County shall represent the State in all juvenile cases heard in the juvenile court, and shall prepare all papers, documents, and process needed or required by the court in the administration of Act. No. 879, H. 374, approved September 12, 1951, entitled "An Act authorizing and prescribing the procedure for civil proceedings to compel the support of certain persons within and without the State by other persons under a legal obligation to support them," as amended.

Section 2. For performing the extra, new, and additional duties imposed on him by this Act, the county solicitor of Cullman County shall be entitled to receive additional compensation in the sum of two hundred fifty dollars per month, such compensation to be paid at the same time, in the same manner, and from the same source as other compensation provided him by law.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice



having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1667. Relating to counties having population of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to counties having a population of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Section 1. In addition to the type of newspapers designated in Section 713 of Title 7, Code of Alabama of 1940, as last amended, in which publication of certain notices may be published, in counties having a population of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census the publication of any notice required by law or mortgage or other contract to be published in a newspaper may be published in any newspaper printed in the English language which has general circulation in such county, regardless of where the paper is printed, if the principal editorial office of the newspaper is located within the county, and regardless of whether or not said newspaper is mailed under the second class mailing privilege of the United States post office department.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, 8, and 15, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1668. Relating to providing expense allowances for the chairman and members of the court of county commissioners of Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to providing expense allowances for the chairman and members of the court of county commissioners of Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. Providing that the members of the Cullman County court of commissioners shall each receive an expense allowance of one hundred dollars (\$100) per month, and the chairman of such county governing body shall receive an expense allowance of one hundred fifty dollars (\$150) per month. The expense allowances provided herein shall be in addition to all other compensation and allowances provided for the chairman and members of any such county governing body, and shall be paid out of the county treasury.

Section 2. The provisions of this act are cumulative.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1669. Providing an expense allowance for the coroner in Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Providing an expense allowance for the coroner in Cullman County  
Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Cullman County shall be provided an expense allowance of \$100 per month which shall be in addition to all other compensation and allowances. Such allowance shall be paid to the coroner from the general funds of the county to which this act applies in the same manner as salaries and expenses are paid to other county officers.

Section 2. This Act is cumulative.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1670. Relating to Cullman County; providing further for the compensation of members of the county board of education, county commission on education or other like public body having general administration and supervision of the public schools of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Cullman County; providing further for the compensation of members of the county board of education, county commission on education or other like public body having general administration and supervision of the public schools of the county.

Section 1. Relating to Cullman County; providing that the members of the county board of education, county commission on education or other like public body having general administration and supervision of the public schools of the county shall be paid twenty-five (\$25.00) a day for attending meetings of the board, commission or other like public body, and actual traveling and hotel expenses incurred; provided, they shall not be allowed pay or expenses for more than twenty-four days in any one year. Such compensation shall be paid from the public school funds of the county.

Section 2. The provisions of this act are cumulative, but all laws and parts of laws in direct conflict herewith are hereby repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John and McDonald:

H. 1676. To repeal Act No. 18, H. 91, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 24) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers."

Also:

By Messrs. Drake, St. John and McDonald:

H. 1677. To repeal Act No. 19, H. 99, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 22) entitled, "An Act To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

Also:

By Messrs. Drake, St. John and McDonald:

H. 1678. To repeal Act No. 190, S. 66, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 253) entitled, "An Act to authorize all cities having populations of not less than 10,800 nor more than 11,400 according to the most recent federal decennial census to establish, maintain and operate a non-profit ambulance service."

Also:

By Messrs. Drake, St. John and McDonald:

H. 1679. To repeal Act No. 916, S. 6, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1479) entitled, "An Act To provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 42,000 nor more than 46,000 according to the most recent federal census, making the Act retro-active."

Also:

By Messrs. Drake, St. John and McDonald:

H. 1680. To repeal Act No. 917, S. 7, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1479) entitled, "An Act to apply in all counties having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid."

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1650, 1652, 1653, 1654, 1657, 1658, 1660, 1663, 1664, 1666, 1667, 1668, 1669, 1670, 1676, 1677, 1678, 1679 and 1680. To the Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake and St. John:

H. 1610. To repeal Act No. 59, S. 55, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 75) entitled, "An Act To apply in counties having populations of not less than 42,000 nor more than 46,000; providing for the payment of additional per diem allowances to members of the boards of equalization of such counties."

Also:

By Messrs. Drake and St. John:

H. 1611. To repeal Act No. 61, S. 73, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 76) entitled, "An Act To relieve the Judge of Probate of any county or counties in population of 42,000 to 46,000 according to the 1960 Federal decennial census of any and all responsibility for failure to charge and collect affidavit fees on licensing of commercial vehicles during the period October 1, 1962 through January 18, 1965."

Also:

By Messrs. Drake and St. John:

H. 1612. To repeal Act No. 62, S. 74, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 77) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; to provide for payment of extra per diem allowances to members of boards of registrars in such counties."

Also:

By Messrs. Drake and St. John:

H. 1613. To repeal Act No. 96, S. 95, approved March 22, 1965, Special Session 1965 (Acts 1965, p. 110) entitled, "An Act To amend Act No. 917, SB 7, approved September 9, 1961 relating to the compensation of the deputy clerk of the circuit clerk of counties having populations of not less than 42,000 nor more than 46,000."

Also:

By Messrs. Drake and St. John:

H. 1614. To repeal Act No. 53, S. 4, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 71) entitled, "An Act To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

Also:

By Messrs. Drake and St. John:

H. 1615. To repeal Act No. 160, S. 338, approved July 23, 1965, Regular Session 1965 (Acts 1965, p. 228) entitled, "An Act to prescribe the amount of the director's fee which may be paid to members of the board of directors of certain gas districts."

Also:

By Messrs. Drake and St. John:

H. 1616. To repeal Act No. 241, H. 919, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 344) entitled, "An Act To apply only in counties having populations of not less than 42,000 nor more than 46,000; providing a clerk hire allowance for the county or deputy solicitor of such counties."

Also:

By Messrs. Drake, St. John, and McDonald:

H. 1617. To repeal Act No. 102, H. 313, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 485) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; fixing the compensation of election officials in such counties."

Also:

By Messrs. Drake, St. John, and McDonald:

H. 1618. To repeal Act No. 407, H. 1008, approved September 3, 1963, Regular Session 1963 (Acts 1963, p. 907) entitled, "An Act Prohibiting the use of convict labor by the State Highway Department in the construction, repair, and maintenance of certain county roads and bridges."

Also:

By Messrs. Drake and St. John:

H. 1619. To repeal Act No. 250, H. 962, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 361) entitled, "An Act Relating to counties having populations of not less than 42,000, nor more than 46,000; providing clerk-hire allowances for certain county officers in such counties."

Also:

By Messrs. Drake and St. John:

H. 1620. To repeal Act No. 42, H. 128, approved October 29, 1965, Third Special Session 1965 (Acts 1965, p. 257) entitled, "An Act Relating to counties having populations of not less than 42,000, nor more than 46,000; providing clerk-hire allowances for certain county officers in such counties."

Also:

By Messrs. Drake and St. John:

H. 1621. To repeal Act No. 179, S. 4, approved, August 23, 1966, Special Session 1966 (Acts 1966, p. 212) entitled, "An Act To regulate further the bail bond business in counties having populations of not less than 42,000 nor more than 46,000; amending Code of Alabama, 1940, Title 15, Section 201."

Also:

By Messrs. Drake and St. John:

H. 1622. To repeal Act No. 394, S. 224, approved September 12, 1966, Special Session 1966 (Acts 1966, p. 534) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; providing a clerk hire allowance to the Register in Chancery in such counties."

Also:

By Messrs. Drake and St. John:

H. 1623. To repeal Act No. 184, S. 60, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 249) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing expense allowances for the chairman and members of the board of revenue, court of county commissioners or other like county governing body."

Also:

By Messrs. Drake and St. John:

H. 1624. To repeal Act No. 185, S. 61, approved May 14, 1969, Special Session 1969, (Acts 1969, p. 250) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an additional expense allowance to the judge of the inferior court or intermediate court."

Also:

By Messrs. Drake and St. John:

H. 1625. To repeal Act No. 186, S. 62, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 251) entitled, "An Act To provide expense allowances for tax assessors and tax collectors in all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census."

Also:

By Messrs. Drake and St. John:

H. 1626. To repeal Act No. 187, S. 63, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 251) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing further for the compensation of members of the county board of education, county commission on education or other like public body having general administration and supervision of the public schools of the county."

Also:

By Messrs. Drake and St. John:

H. 1627. To repeal Act No. 188, S. 64, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 252) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an expense allowance for the coroner in such counties."

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:



H. B.'s 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626 and 1627. To the Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake, St. John and McDonald:

H. 1681. To repeal Act No. 919, S. 9, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1480) entitled, "An Act To apply in all counties having a population of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation."

Also:

By Messrs. Drake, St. John and McDonald:

H. 1682. To repeal Act No. 15, H. 77, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 22) entitled, "An Act To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

Also:

By Messrs. Drake, St. John and McDonald:

H. 1683. To repeal Act No. 16, H. 78, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 23) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties."

Also:

By Messrs. Drake, St. John and McDonald:

H. 1684. To repeal Act No. 17, H. 79, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 23) entitled, "An Act To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census."

Also:

By Messrs. Culver, Bank, Parker (T) and Robertson:

H. 1694. To authorize and provide for the establishment, operation and financing of a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, for the representation and defense of persons accused of crime who are declared indigent by the Courts; to establish a Public Defender Commission to operate said office; to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection

of the Public Defender and for the employment and compensation of personnel and expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender Office; to provide for the taxing and collecting of additional court costs in certain courts in said counties for such purpose and for the expenditure thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the counties and Municipal bodies from which received.

Also:

By Messrs. Culver, Bank and Parker (T):

H. 1740. Relating to counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; regulating further the sale of alcoholic beverages in such counties; and prescribing penalties for violations of the Act.

Also:

By Messrs. Culver, Bank and Parker (T):

H. 1741. To repeal Act No. 730, H. 790 of the Regular Session of 1961 (Acts, 1961, p. 1044) entitled "An Act Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act."

Also:

By Mr. Kinsey:

H. 1904. To repeal Act No. 53, H. 247, approved September 27, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 79) entitled "An Act relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; further providing for the sale of licenses, boat tags, transfers and replacements for the department of conservation in such counties, transferring certain duties of the probate judge to the commissioner of licenses; relieving the probate judge of such duties; and repealing conflicting Acts", and to provide an effective date.

Also:

By Mr. Kinsey:

H. 1905. To repeal Act No. 52, H. 246, approved September 27, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 78) entitled "An Act relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the Probate Judge to the Tax Collector; relieving the Probate Judge of such duties; and repealing conflicting Acts", and to provide an effective date.

Also:

By Mr. Kinsey:

H. 1906. To repeal Act No. 642, H. 851, approved September 8, 1967 (Acts of Alabama 1967, Vol. II, Page 1454) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessors and tax collectors of such counties", and to provide an effective date.

Also:

By Mr. Kinsey:

H. 1907. To repeal Act No. 360, H. 370, approved September 12, 1966 (Acts of Alabama, Special Session 1966, Page 502) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000; providing an expense allowance for the chairman or president of the court of county commission, board of revenue or other like county governing body", and to provide an effective date.

Also:

By Mr. Kinsey:

H. 1908. To repeal Act No. 380, H. 690, approved August 26, 1953 (Acts of Alabama 1953, Vol. I, Page 450) entitled "An Act to authorize the tax assessor and tax collector of any county having a population of not less than 57,000 nor more than 63,700 inhabitants, according to the last or any subsequent federal decennial census, which compensates its tax assessor and tax collector on a salary basis, to retain any fee, commission, percentage or other compensation authorized to be paid to them for assessing or collecting any tax due a city or town" and to provide an effective date.

Also:

By Mr. Kinsey:

H. 1909. To repeal Act No. 124, H. 250, approved July 10, 1963 (Acts of Alabama, 1963, Vol. I, Page 499) entitled "An Act to regulate further the bail bond business in counties having populations of not less than 57,000 nor more than 61,000; amending Code of Alabama 1940, Title 15, Section 201" and to provide an effective date.

Also:

By Mr. Kinsey:

H. 1910. To repeal Act No. 118, H. 146, approved August 24, 1964 (Acts of Alabama, Special Session 1964, Vol. I, Page 178) entitled "An Act to provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000" and to provide an effective date.

Also:

By Mr. Kinsey:

H. 1911. To repeal Act No. 38, H. 107, approved October 29, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 254) entitled "An Act relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the county governing bodies of such counties to reimburse the tax collectors of such counties for certain losses incurred in the routine operation of their offices" and to provide an effective date.

Also:

By Mr. Kinsey:

H. 1912. To repeal Act No. 598, H. 647, approved September 8, 1967 (Acts of Alabama 1967, Vol. II, Page 1383) entitled "An Act to increase the compensation of each employee in the office of the clerk of the circuit court of every county having a population of not less than 57,000 nor more than 61,000; and to provide for the payment thereof," and to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1681, 1682, 1683, 1684, 1694, 1740, 1741, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911 and 1912. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Bank, Robertson, Culver and Parker (T):

H. 290. To grant free fishing privileges in all public lakes in Tuscaloosa County to certain resident citizens of the State.

With notice and proof thereto attached and herewith exhibited as follows:

### A BILL TO BE ENTITLED AN ACT

To grant free fishing privileges in all public lakes in Tuscaloosa County to certain resident citizens of the State.

Be It Enacted by the Legislature of Alabama:

Section 1. Neither the state department or director of conservation nor any person acting under the provisions of any rule, regulation, or order of the director of conservation shall have authority to make any charge or to collect any fee from any resident citizen of Alabama who is 65 years of age or over for the privilege of fishing in any public lake situated in Tuscaloosa County.

Every resident citizen of Alabama who has attained age 65 is hereby granted the privilege of fishing in any public lake in Tuscaloosa County free of charge. However, the grant herein made shall not be applicable to the hire or rental of boats, fishing tackle, camping quarters, or other like conveniences or facilities.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared James B. Boone, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 10, 17, 24, and May 1, all in the year 1971.

JAMES B. BOONE, JR.

Sworn to and subscribed before me May 1, 1971.

LILLA COLLINS,  
Notary Public.

Also:

By Messrs. Culver, Bank, Parker (T) and Robertson:

H. 519. Relating to Tuscaloosa County; to authorize the county board of education to provide for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks for use in the schools of the county.

Also:

By Mr. Smith (K):

H. 839. Relating to Tallapoosa County making it unlawful to use an electrical device or certain other devices or instruments to take, catch, stun or kill any game or non-game fish; prescribing penalties therefor and making the possession of any such device prima facie evidence that it is being used for illegal purposes.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Tallapoosa County making it unlawful to use an electrical device or certain other devices or instruments to take, catch, stun

or kill any game or non-game fish; prescribing penalties therefor and making the possession of evidence that it being used for illegal purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person who uses in Tallapoosa County any electrical device or any other device or instrument capable of taking, catching, stunning or killing game or non-game fish which is not expressly allowed by law or regulation of the Department of Conservation shall be in violation of this Act and such violation shall be punishable by a fine of not less than \$250 nor more than \$500 and the court, at its discretion may impose a jail sentence of not more than 6 months. The possession of any electrical device or any other device or instrument on the bank of a public stream or other public body of water or in a boat on such water, which is capable of taking, stunning or killing fish and which device or instrument is not expressly allowed by law or regulation of the Department of Conservation, shall be prima facie evidence that the device or instrument is being used illegally for the purpose of taking, catching, stunning or killing, or attempting to take, catch, stun or kill game or non-game fish.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of the Alexander City Outlook published weekly at Alexander City, Ala., do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated May 27, 1971, and ending with the issue dated June 17, 1971.

J. C. HENDERSON.

Subscribed and sworn before me this 17th day of June, 1971.

VONCILLE M. DEAN,  
Notary Public.

My Commission expires January 23, 1975.

Also:

By Mr. Smith (K):

H. 1229. To amend the title and Sections 1 and 2 of Act No. 927, H. 895, Regular Session 1961 (Acts 1961, p. 1486), which act provides further for the compensation and allowances of jurors and bailiffs in certain counties classified on a population basis.

With notice and proof thereto attached and herewith exhibited as follows:

#### A BILL TO BE ENTITLED AN ACT

To amend the title and Sections 1 and 2 Act No. 927, H. 895, Regular Session 1961 (Acts 1961, p. 1486), which act provides further for the compensation and allowances of jurors and bailiffs in certain counties classified on a population basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 927, H. 895, Regular Session 1961 (Acts 1961, p. 1486), is hereby amended to read as follows:

"An Act to regulate the compensation and allowances of jurors and bailiffs in counties having populations of not less than 33,550 nor more than 34,000."

Section 2. Section 1 of said Act No. 927, H. 895, is hereby amended to read as follows:

"Section 1. This act shall apply only in counties having populations of not less than 33,500 nor more than 34,000, according to the 1970 or any subsequent federal decennial census."

Section 3. Section 2 of said Act No. 927, H. 895, is hereby amended to read as follows:

"Section 2. Regular jurors, grand and petit, and bailiffs actually serving in court shall be entitled to compensation and allowances as prescribed by general, special or local laws, by the court of county commissioners, board of revenue, or other like governing body of the county may, in its discretion, increase their per diem to an amount not to exceed 15 dollars for each day's service and the mileage to 10 cents a mile."

Section 4. This act shall become effective September 1, 1971.

#### AFFIDAVIT OF PUBLICATION

I, Paul Anderson, Publisher, of the Dadeville Record published weekly at Dadeville, Alabama do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated June 3, 1971, and ending with the issue dated June 24, 1971.

PAUL ANDERSON.

Subscribed and sworn before me this 2nd day of July, 1971.

DAPHENE L. ANDERSON,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1600. To repeal Act No. 517, H. 1033, approved August 21, 1969, Regular Session 1969 (Acts 1969, p. 993) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; to provide for the compensation of the members of the jury commission in such counties."

Also:

By Messrs. Drake and St. John:

H. 1601. To repeal Act No. 844, H. 1122, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1549) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws."

Also:

By Messrs. Drake and St. John:

H. 1602. To repeal Act No. 1005, S. 831, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1879) entitled, "An Act To validate amounts expended by the board of revenue, court of county commissioners, or other like governing body, of any county with not less than 42,000 nor more than 46,000 population, according to the last or any subsequent federal decennial census, for gifts to hospital patients of the county, holiday advertisements by the county, premiums paid on bonds of the coroner, and appropriations made to private schools during the period October 1, 1964 through Septemeber 30, 1966."

Also:

By Messrs. Drake and St. John:

H. 1603. To repeal Act No. 17, H. 14, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2617) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increases of the jailers in such counties."

Also:

By Messrs. Drake and St. John:

H. 1604. To repeal Act No. 31, H. 46, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2653) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary of the Register in Chancery in such counties."

Also:

By Messrs. Drake, St. John and McDonald:

H. 1605. To repeal Act No. 453, S. 443, approved September 4, 1963, Regular Session 1963 (Acts 1963, p. 986) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; providing sick leaves of absence with pay for all regularly employed school bus drivers of said county."

Also:

By Messrs. Drake and St. John:

H. 1606. To repeal Act No. 154, S. 122, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 219) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office."

Also:

By Messrs. Drake and St. John:

H. 1607. To repeal Act No. 155, S. 123, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 219) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions."



Also:

By Messrs. Drake and St. John:

H. 1608. To repeal Act No. 228, S. 140, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 314) entitled, "An Act To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof."

Also:

By Messrs. Drake and St. John:

H. 1609. To repeal Act No. 58, S. 54, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 74) entitled, "An Act To amend Section 1, Act No. 154, S. 122, approved August 28, 1964, an act relating to the compensation of deputy sheriffs in counties having populations of not less than 42,000 nor more than 46,000 (Acts 1964, p. 219)."

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 290, 519, 839, 1229, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608 and 1609. To the Standing Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake and St. John:

H. 1628. To repeal Act No. 189, S. 65, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 252) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an additional expense allowance to the circuit clerk in such counties."

Also:

By Messrs. Drake and St. John:

H. 1629. To repeal Act No. 100, H. 37, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 177) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing expense allowances for the Register in Chancery in such counties."

Also:

By Messrs. Drake and St. John:

H. 1630. To repeal Act No. 101, H. 39, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 178) entitled, "An Act To apply only to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide additional funds for clerk hire for circuit clerks in such counties."

Also:

By Messrs. Drake and St. John:

H. 1631. To repeal Act No. 102, H. 40, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 179) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties."

Also:

By Messrs. Drake and St. John:

H. 1632. To repeal Act No. 154, H. 172, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 222) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, and providing for the use of such fund."

Also:

By Messrs. Drake, St. John, and McDonald:

H. 1633. Relating to Cullman County; to prescribe the amount of the director's fee which may be paid to members of the board of directors of certain gas districts.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Cullman County; to prescribe the amount of the director's fee which may be paid to members of the board of directors of certain gas districts.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of directors of any gas district incorporated pursuant to Act No. 762, S. 515, of the Regular Session of the Legislature of 1951 (Acts of 1951, Vol. 2, p. 1319), which secures a supply of natural or artificial gas or transports, or distributes or sells gas or gas services for a municipality or municipalities in Cullman County, at the discretion of the board of directors, may each be paid a director's fee of not exceeding thirty-five dollars for each director's meeting not exceeding one meeting during each calendar month. Such director's fee shall be in lieu of the director's fee prescribed in Section 6 of said Act No. 762 of 1951. However, any member of the board of directors of a gas district entitled to the director's fee hereinabove prescribed shall continue to be reimbursed for actual expenses incurred in and about the performance of his duties as a member of such board as authorized in said Section 6 of Act No. 762 of 1951.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John, and McDonald:

H. 1636. Relating to Cullman County; fixing the compensation of the deputy clerk of the register and providing for payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

### A BILL TO BE ENTITLED AN ACT

Relating to Cullman County; fixing the compensation of the deputy clerk of the register and providing for payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. In Cullman County; the deputy clerk of the register in chancery shall be entitled to an annual salary of \$4,200 which shall be paid from the general funds of the county in equal installments as the salaries of county employees are paid.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John, and McDonald:

H. 1638. Relating to Cullman County; providing an additional expense allowance to the judge of the inferior court or intermediate court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Cullman County; providing an additional expense allowance to the judge of the inferior court or intermediate court.

Be It Enacted by the Legislature of Alabama:

Section 1. Relating to Cullman County; providing that the judge of the inferior court or intermediate court shall be provided an expense allowance of 3,600 per annum. Such allowances for such judges, shall be payable in equal monthly installments from the general funds of any county to which this act applies.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John, and McDonald:

H. 1639. To authorize the city of Cullman to establish, maintain and operate a non-profit ambulance service.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the city of Cullman to establish, maintain and operate a non-profit ambulance service.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of the city of Cullman is hereby authorized to establish, maintain and operate and ambulance service to promote the health, welfare and safety of residents of said city, and of the county in which said city is located, and of areas in general proximity thereto and to other persons traveling within said city, the county and areas of general proximity. Toward this end said city may appropriate public funds, employ such personnel and purchase and maintain such equipment and other facilities as may be necessary for such purpose.

Section 2. The governing body of the city of Cullman shall provide rules and regulations for the operation of such ambulance service which shall include when necessary or advisable, the transportation of ill or injured persons to or from hospitals in metropolitan areas of this state, and may authorize the service to charge and collect fees for services rendered. Provided, that such charges shall be based solely on the cost of operating the service, which shall not be operated for profit.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John, and McDonald:

H. 1640. Providing for the salary of the Register in Chancery in Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Providing for the salary of the Register in Chancery in Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. Providing that the Register in Chancery shall receive a salary of \$8,200.00 per annum, which salary shall be paid to such officer from the general funds of Cullman County in equal monthly installments.

Section 2. This salary shall be paid in lieu of the salary and expense allowances previously allowed such officer by law.

Section 3. This Act is cumulative.

Section 4. This Act shall become effective September 1, 1971

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John, and McDonald:

H. 1642. Relating to Cullman County; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, and providing for the use of such fund.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Cullman County; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, and providing for the use of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Relating to Cullman County; the fee for issuance of a permit to carry a pistol concealed on or about the person or in a vehicle as provided in Code of Alabama 1940, Title 14, Section 177 shall be five dollars (\$500), which shall be collected by the sheriff.

Section 2. Any and all monies collected as provided above, in Cullman County within the purview of this Act shall be deposited by the sheriff in any bank located within the county into a fund known as the Sheriff's Fund. Said fund shall be drawn upon by the sheriff of the county or his appointed agent and shall be used exclusively for law enforcement purposes and in the discharge of the sheriff's office as he sees fit. The establishment of the Sheriff's Fund as provided in this Act, and the use of such funds, shall in no way diminish or take the place of any other imbursement or other source of income established for the sheriff or for the operation of his office.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John, and McDonald:

H. 1643. Relating to Cullman County; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Cullman County; to supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Relating to Cullman County; providing that the secretary of the judge of the intermediate court shall be entitled to a supplementary salary of two hundred dollars (\$200) per month, payable from the general funds of the county. This compensation shall be in addition to any other allowance or salary prescribed law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.



## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John, and McDonald:

H. 1644. Prohibiting the use of convict labor by the State Highway Department in the construction, repair, and maintenance of roads and bridges in Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Prohibiting the use of convict labor by the State Highway Department in the construction, repair, and maintenance of roads and bridges in Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. The state highway department shall not hereafter use or employ convict labor in and about the construction, repair, and maintenance of county roads and bridges in Cullman County. And the road and bridge funds, or gasoline tax funds of any such county shall not be spent directly or indirectly for any such purpose.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake, St. John, and McDonald:

H. 1647. To provide an expense allowance for the deputy or county district attorney in Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide an expense allowance for the deputy or county district attorney in Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. The County solicitor in Cullman County shall be entitled to an expense allowance of one hundred dollars (\$100) per month to be paid from the general funds of the county in the manner prescribed by law.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Messrs. Drake and St. John:

H. 1656. To amend Code of Alabama, Title 15, Section 201, to regulate further the bail bond business, so as to provide an exception for Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Code of Alabama, Title 15, Section 201, to regulate further the bail bond business so as to provide an exception for Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940 Title 15, Section 201, as amended, is amended further to read as follows:

"Section 201. The qualifications of bail are, that each must be a resident of this state, and a householder and freeholder therein, and that each must be worth, exclusive of property exempt from execution, the amount expressed in the undertaking; but the court, magistrate, or officer in taking bail may allow more than two persons to justify severally as bail in amounts less than that expressed in the undertaking, provided the whole be equivalent to two sufficient bails; or the Court, magistrate, or officer, in taking bail, in lieu of the foregoing may allow a corporation, foreign or domestic, qualified to do a bonding business in this state, and authorized to execute the undertaking of bail, to execute such bail. Every person engaged in the business of making bail bonds and charging therefor, except corporations qualified to do a bonding business in this state, in addition to all other requirements of this section, shall be required to furnish a bond with corporate surety in the amount of twenty-five thousand dollars, (ten thousand dollars in Cullman County), to be approved by the probate judge of each county in which such person engages in such business, conditioned to guarantee the payment of all sums of money that may become due the state or any political subdivision thereof by virtue of

any judgment absolute being rendered against said person on a forfeiture of bail. Only one such bond shall be required in each county where such person does business, and the liability of the surety company executing a bond hereunder shall not exceed the face amount of such surety bond provided, however, that the bond may be cancelled as to any future liability at any time by the surety giving thirty days written notice of such cancellation to the probate judge of the county in which the bond is filed."

Section 2. This Act shall become effective September 1, 1971.

### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1628, 1629, 1630, 1631, 1632, 1633, 1636, 1638, 1639, 1640, 1642, 1643, 1644, 1647 and 1656. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Kinsey:

H. 1913. To amend the title and Section 1 of Act No. 197, H. 606, approved July 30, 1965 (Acts of Alabama, Regular Session 1965, Vol. I, Page 280) entitled "An Act to apply only in counties of the State having populations of not less than 55,000 nor more than 60,000 inhabitants, according to the last or any subsequent federal decennial census; to further regulate the taking of fish from public streams and impounded water; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibit-

ing the sale of fish so taken" so that said Act, after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 58,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

By Mr. Kinsey:

H. 1914. To repeal Act No. 687, H. 949, approved September 8, 1967 (Acts of Alabama 1967, Vol. II, Page 1513) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to provide additional clerical help for the circuit court clerk", and to provide an effective date.

Also:

By Mr. Kinsey:

H. 1915. To repeal Act No. 669, S. 788, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1204) entitled "An Act relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census, to provide an expense allowance for each of the probation officers of the county court; to repeal conflicting laws", and to provide an effective date.

Also:

By Mr. Benton:

H. 1916. To amend the title and Section 1 of Act No. 373, H. 445, approved September 12, 1966 (Acts of Alabama, Special Session 1966 Page 512) entitled "An Act to define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census; to create a barber's commission for said counties and define the powers and duties of said barber's commission; to provide for an inspector; and to provide a penalty for the violation of the provisions hereof"; so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law shall apply to all counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census; and to provide an effective date.

Also:

By Mr. Benton:

H. 1917. To amend the title and Section 1 of Act No. 998, S. 498, approved September 9, 1961 (Acts of Alabama 1961, Vol. II, Page 1576) entitled "An Act to provide that in all counties having populations of not less than 55,000 nor more than 60,000 inhabitants according to the 1960 Federal Decennial Census, or any subsequent Federal Decennial Census of the United States, the governing body of the county may transfer to the sheriff any supervision and control it has over county convicts" so that said Act after passage and approval of this Act by the Governor or upon its otherwise becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

By Mr. Benton:

H. 1918. To amend the title and Section 1 of Act No. 975, H. 1419, approved September 12, 1969 (Acts of Alabama 1969, Vol. II, Page 1720) entitled "An Act to provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any judge of probate or license commissioner charged with the duty of issuing such license tag" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law shall apply to all counties having populations of not less than 54,500 nor more than 56,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

By Mr. Benton:

H. 1919. To amend the title and Section 1 of Act No. 481, S. 547, approved August 19, 1969 (Acts of Alabama 1969, Vol. I, Page 940) entitled "An act relating to all counties having populations of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; authorizing the employment of a deputy clerk for the jury commission and providing for his duties, tenure and compensation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census and to provide an effective date.

Also:

By Mr. Benton:

H. 1920. To repeal Act No. 638, S. 650, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1167) entitled "An act to provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any judge of probate or license commissioner charged with the duty of issuing such license tag", and to provide an effective date.

Also:

By Mr. Benton:

H. 1921. To repeal Act No. 440, H. 801, approved August 19, 1969 (Acts of Alabama 1969, Vol. I, Page 875) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000 providing an expense allowance payable from the County Treasury for the use of the coroner" and to provide an effective date.

Also:

By Mr. Benton:

H. 1922. To repeal Act No. 577, S. 539, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1063) entitled "An Act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing further for the expense allowances of the chairman of the county governing body", and to provide an effective date.

Also:

By Mr. Benton:

H. 1923. To repeal Act No. 576, S. 538, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1062) entitled "An Act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing further for the expense allowances for the members of the county governing body" and to provide an effective date.

Also:

By Mr. Benton:

H. 1924. To repeal Act No. 480, H. 1033, approved September 6, 1957 (Acts of Alabama 1957, Vol. I, Page 662) entitled "An Act to provide further for the compensation of the circuit judge in every circuit composed of only one county having only one circuit judge and a population of not less than fifty-three thousand nor more than sixty-three thousand inhabitants according to the last or any subsequent federal decennial census" and to provide an effective date.

Also:

By Mr. Benton:

H. 1925. To repeal Act No. 250, H. 601, approved August 1, 1961 (Acts of Alabama 1961, Vol. I, Page 274) entitled "An Act to prohibit the taking of fish from the public waters of all counties having a population of not less than 57,000 nor more than 61,000, according to the 1960 or any subsequent federal decennial census, with hoop or fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws" and to provide an effective date.

Also:

By Mr. Benton:

H. 1926. To repeal Act No. 727, H. 976, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1043) entitled "An Act fixing the compensation of the chairman of the board of revenue, court of county commissioners or other like county governing body in all counties having populations of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census", and to provide an effective date.

Also:

By Mr. Benton:

H. 1927. To repeal Act No. 381, H. 873, approved August 30, 1963 (Acts of Alabama 1963, Vol. II, Page 884) entitled "An Act relating to counties having populations of not less than 57,000 nor more than 61,000; providing for payment of special supplementary allowances for probation officers of the juvenile courts of such counties", and to provide an effective date.

Also:

By Mr. Benton:

H. 1928. To repeal Act No. 65, H. 48, approved March 19, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 78) entitled "An Act relating to counties of not less than 57,000 nor more than 61,500

inhabitants according to the 1960 or any subsequent federal decennial census; providing for the payment of an expense allowance to the probate judges of such counties, and giving the Act limited retroactive effect", and to provide an effective date.

Also:

By Mr. Benton:

H. 1929. To repeal Act No. 65, H. 48, approved March 19, 1965, (Acts of Alabama, Special Session 1965, Vol. I, Page 79) entitled "An Act relating to counties of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census; providing for the payment of an expense allowance to the probate judges of such counties, and giving the Act limited retroactive effect", and to provide an effective date.

Also:

By Mr. Smith (K):

H. 1967. Relating to Tallapoosa County; to require that any person, firm or corporation distributing beer, ale or other brewed alcoholic beverage for resale shall be required to have a warehouse, or warehouses, located in said county in which said beer, ale or other brewed alcoholic beverages must be stored before they are sold by said wholesale distributor; and prescribing penalties for the violation of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

**A BILL  
TO BE ENTITLED  
AN ACT**

Relating to Tallapoosa County; to require that any person, firm or corporation distributing beer, ale or other brewed alcoholic beverage for resale shall be required to have a warehouse, or warehouses, located in said county in which said beer, ale or other brewed alcoholic beverages must be stored before they are sold by said wholesale distributor; and prescribing penalties for the violation of this Act.

**Be It Enacted by the Legislature of Alabama:**

Section 1. Any person, firm or corporation that distributes any beer, ale or other brewed alcoholic beverages at wholesale, or otherwise distributes said alcoholic beverages to other persons for the purpose of resale, shall have located within Tallapoosa County a warehouse or warehouses for the storage of said alcoholic beverages and from which said alcoholic beverages will be sold at wholesale or otherwise for the purpose of resale. All alcoholic beverages stored in said warehouse or warehouses must be consigned directly from the brewer or producer of said alcoholic beverages directly to said warehouse or warehouses in Tallapoosa County.

Section 2. Any Person who violates any provision of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$50.00. Each day any person, firm or corporation violates any provisions of this Act shall be considered a separate and distinct offense. In addition to any fine and of jail term that might be imposed by the court, the court may also order that such person, firm or corporation shall not be allowed to sell or distribute beer, ale or other brewed alcoholic beverages in Tallapoosa County for a period of one year for each offense they have committed under the provisions of this Act.



Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming by law.

#### AFFIDAVIT OF PUBLICATION

I, Paul Anderson, Publisher, of the Dadeville Record published weekly at Dadeville, Alabama do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated July 1, 1971, and ending with the issue dated July 22, 1971.

PAUL ANDERSON.

Subscribed and sworn before me this 22nd. day of July, 1971.

DAPHENE L. ANDERSON,  
Notary Public.

Also:

By Mr. Smith (K):

H. 1968. Relating to counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1967 and 1968. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Merrill, Stewart and Burgess:

H. 1974. To alter, rearrange and extend the boundary lines and corporate limits of the City of Piedmont in Calhoun County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Piedmont in Calhoun County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Piedmont in Calhoun County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property:

Area Number 1

That part of the SE $\frac{1}{4}$ -SW $\frac{1}{4}$  Section 12, Twp 13 S, Rn 9 E, that is situated Southeast of Alabama Highway 21.

All of the NE $\frac{1}{4}$ -NW $\frac{1}{4}$ ; SE $\frac{1}{4}$ -NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ -NE $\frac{1}{4}$  situated in Section 13 Twp 13, S, Rn 9 E.

That part of the SW $\frac{1}{4}$ -SE $\frac{1}{4}$  and the SE $\frac{1}{4}$ -SE $\frac{1}{4}$  and the NE $\frac{1}{4}$ -SE $\frac{1}{4}$  in Section 12, Twp 13 S, Rn 9 E lying Southeast of Alabama Highway 21.

All of the SW $\frac{1}{4}$ -SW $\frac{1}{4}$  Section 7, Twp 13 S, Rn 10 E.

That part of the NW $\frac{1}{4}$ -SW $\frac{1}{4}$  Section 7, Twp 13 S, Rn 10 E described as follows: From the SE corner of the said NW $\frac{1}{4}$ -SW $\frac{1}{4}$  Section 7, thence Westerly along the South line of the said NW $\frac{1}{4}$ -SW $\frac{1}{4}$  a distance of 462 feet, thence N 01 degrees 34' W a distance of 208 feet, thence S 88 degrees-00' W a distance of 445 feet to the West side of a County Road, thence Northeasterly along the West side of said County Road a distance of 1210 feet to the Southwest right-of-way of Alabama Highway 21, thence S 40 degrees-00' W and along the said right-of-way a distance of 1430 feet to the West line of said NW $\frac{1}{4}$ -SW $\frac{1}{4}$ , thence South along the said West line a distance of 185 feet to the SW corner of said NW $\frac{1}{4}$ -SW $\frac{1}{4}$ , thence N 88 degrees-00' E and along the South line of said NW $\frac{1}{4}$ -SW $\frac{1}{4}$  a distance of 1275.3 feet to the point of beginning.

Area Number 2

All of the SW $\frac{1}{4}$ -SW $\frac{1}{4}$  Section 8, Twp 13 S, Rn 10 E.

That part of Fraction "D" of Fractional Section 8, Twp 13 S, Rn 10 E that is now situated South of the present City Limits (5280 foot Radius)

Area Number 3

That part of Fraction "D" of Fractional Section 9 Twp 13 S, Rn 10 E that is now situated Southeast of the present City Limits (5280 foot Radius) and North of the County Road known as Babbling Brook Road.

The NE Fractional part of the SW $\frac{1}{4}$  of Fractional Section 9 Twp 13 S, Rn 10 E.

The NW Fractional part of the SE $\frac{1}{4}$  of Fractional Section 9, Twp 13 S, Rn 10 E.

That part of the NE Fractional part of the SE $\frac{1}{4}$  of Fractional Section 9, Twp 13 S, Rn 10 E described as follows:

From the intersection of the Cherokee-Creek Indian boundary line and the East line of Section 9, Twp 13 S, Rn 10 E, thence N 78 degrees-10' W and along the said Indian boundary line a distance of 585 feet for the point of beginning of described parcel; Thence continue on same bearing of N 78 degrees-10' W and along said Indian boundary to the West line of said NE Fractional Part of the SE $\frac{1}{4}$ , thence Northerly along the said West line to the South side of a County Road, thence N 89 degrees-19' E and along the South side of County Road a distance of 415 feet, thence S 02 degrees-54' E a distance of 600.0 feet, thence S 10 degrees-24' E a distance of 292.5 feet, thence S 15 degrees-31' E a distance of 550.0 feet, thence S 17 degrees-40' E a distance of 382.9 feet to the point of beginning.

A part of Fraction "A" of Fractional Section 9, Twp 13 S, Rn 10 E described as follows:

From the SE corner of Section 9, Twp 13 S, Rn 10 E, thence N 0 degrees-45' E and along the East line of said Section 9 a distance of 801.4 feet to the Cherokee-Creek Indian boundary line, thence N 78 degrees-10' W and along said Indian boundary a distance of 2067.2 feet, thence S 24 degrees-32' E a distance of 1295.7 feet, thence S 88 degrees-23'E a distance along the South line of said Section 9 of 1470 feet to the point of beginning.

#### Area Number 4

Begin at the intersection of the North line right-of-way of Alabama Highway 74 and the Southeast right-of-way of the Southern Railway which is on the present City Limits line, thence S 89 degrees-01' E and along the said North right-of-way of Highway 74 a distance of 600 feet, thence N 40 degrees-31' E a distance of 187.7 feet, thence N 40 degrees-19' W a distance of 375 feet, thence N 57 degrees-37' W a distance of 227.6 feet to the Southeast right-of-way of said Southern Railway, which point is 50 feet from the center of Tracks, thence S 48 degrees-43' W and along the said Railway right-of-way a distance of 672 feet to the point of beginning, all being situated in Fraction 21 and Fraction 22 of Fraction Section 33, Twp 12 S, Rn 10 E.

#### Area Number 5

All of Fraction 12 of Fractional Section 33, Twp 12 S, Rn 10 E, except that part situated in the SE corner, that lies Southeast of the Northwest side of a County Road known as the Steinberg Road.

All of Fraction 5 of Fractional Section 33, Twp 12 S, Rn 10 E.

That part of Fraction 6 of Fractional Section 33, Twp 12 S, Rn 10 E. that is situated in the NW corner in a triangular shape, bounded on the West by the West line of said Fraction 6 and on the North by the North line of said Fraction 6, and on the east by a County Road known as the Steinberg Road, being 100 feet wide on North and 590 feet on the West and 595 feet more or less on the East side.

All of Fraction 3 of Fractional Section 33, Twp 12 S, Rn 10 E that is situated NW of County Road known as the Steinberg Road. The SE  $\frac{1}{4}$ -SW  $\frac{1}{4}$  Section 28, Twp 12 S, Rn 10 E.

Fractions 1, 2 and 8 of Fractional Section 32 Twp 12 S, Rn 10 E.

That part of Fraction 7 of Fractional Section 32, Twp 12 S, Rn 10 E, that is now outside the City Limits, being that part lying North of a line 350 feet North of and parallel to the South line of said Fraction 7.

## Area Number 6

From the SE corner of Section 4, Twp 13 S, Rn 10 E thence N 0 degrees-45' E and along the East line of said Section 4 a distance of 433.3 feet for the point of beginning; Thence continue on the same bearing of N 0 degrees-45' E and along the East line of said Section 4 a distance of 724.6 feet, thence S 88 degrees-08' W a distance of 420 feet, thence N 0 degrees-45' E a distance of 210 feet to the South right-of-way of the Seaboard Coast line Railroad, thence S 88 degrees-08' W and along said Railroad right-of-way (33 feet from and parallel to the center of tracks) to the present City Limits (5280 foot Radius) which point is 350 feet West of the East line and 78.4 feet South of the North line of the SE $\frac{1}{4}$ -SW $\frac{1}{4}$  Section 4 Twp 13 S, Rn 10 E, thence Southerly along the present City Limits (5280 foot Radius) a distance of 210 feet, which point is 370 feet West of the East line of said SE $\frac{1}{4}$ -SW $\frac{1}{4}$ , thence N 88 degrees-08' E and parallel to and 210 feet from the South right-of-way of the said Seaboard Coast Line Railroad to a point that is 630 feet West of the East line of the SE $\frac{1}{4}$ -SE $\frac{1}{4}$  Section 4, Twp 13 S, Rn 10 E, thence S 0 210 feet, thence N 88 degrees-08' E a distance of 210 feet, thence S 0 degrees-47' W a distance of 671.1 feet, thence S 84 degrees-35' E a distance of 421.4 feet to the point of beginning, all being situated in the SE $\frac{1}{4}$ -SE $\frac{1}{4}$ ; SE $\frac{1}{4}$ -SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ -SW $\frac{1}{4}$  all in Section 4, Twp 13, S, Rn 10 E.

## Area Number 7

A parcel in the NE $\frac{1}{4}$ -SW $\frac{1}{4}$  Section 4, Twp 13 S, Rn 10 E and being a part of the "J. O. Bennett Subdivision" Plat Book "J" page 22 and described as follows:

From the NE corner of the NE $\frac{1}{4}$ -SW $\frac{1}{4}$  Section 4, Twp 13 S, Rn 10 E, thence Westerly along the North line of said NE $\frac{1}{4}$ -SW $\frac{1}{4}$  a distance of 398.3 feet to the present City limits (5280 foot Radius) thence Southerly along the present City limits curve (5280 foot Radius) to the North side of the Vigo Road, thence Southeasterly along the North side of said Vigo Road a distance of 354.5 feet to the East line of said NE $\frac{1}{4}$ -SW $\frac{1}{4}$ , thence Northerly along the said East line a distance of 611.6 feet to the point of beginning, being Lots 9, 10, 11, 12, 13, 14, 15, and parts of Lots 8 and 16 of the said "J. O. Bennett Subdivision."

Also in the SE $\frac{1}{4}$ -NW $\frac{1}{4}$  and the NE $\frac{1}{4}$ -NW $\frac{1}{4}$  Section 4, Twp 13 S, Rn 10 E and being a part of the "R. A. and Joe Burns Subdivision" as recorded in Plat Book "M" page 15 and described as follows: From the SE corner of the SE $\frac{1}{4}$ -NW $\frac{1}{4}$ , Section 4, Twp 13 S, Rn 10 E, thence Westerly along the South line of said SE $\frac{1}{4}$ -NW $\frac{1}{4}$  a distance of 250 feet for the point of beginning of described parcel; Thence Northerly and parallel to the East line of said SE $\frac{1}{4}$ -NW $\frac{1}{4}$  a distance of 200 feet to the SW corner of Lot 41 of said Subdivision, Thence continue on the same Northerly bearing and along the west line of said lot 41 to the south side of "Allison Street of said Subdivision, thence on the same northerly bearing a distance of 40 feet to the SE corner of Lot 42 of said Subdivision, thence on the same Northerly bearing and along the West side of said Allison Street a distance of 804 feet, thence Northwesterly and along the Southwesterly side of said Allison Street a distance of 613.65 feet, to the Southeast right-of-way of US 278 Highway, which point is 100 feet from the center of said Highway, thence Southwesterly along said right-of-way a distance of 270 feet, thence Northwesterly and perpendicular to the center of said Highway a distance of 60 feet, which point is 40 feet from the center of said Highway 278 and is on the present City limits curve (5280 foot Radius), thence Southeasterly along the present City limits curve (5280 foot Radius) to the point of beginning, all being situated in the SE $\frac{1}{4}$ -NW $\frac{1}{4}$ ;

and the NE¼-NW¼ Section 4, Twp 13 S, Rn 10 E, and includes the following Lots of said "R. A. and Joe Burns Subdivision" 37, 38, 39, 40, 42, 43, 44, 45, 74, 75, 76, 77, 78, 64, 65, 66, 67, 67 B, 96, 97, 98, 99, and 100, and parts of the following Lots, 37, 36, 46, 47, 79, 80, 101 and 102.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA  
CALHOUN COUNTY

Before me, the undersigned authority in and for said State and County, personally appeared Cecil Weatherbee, who being duly sworn, certifies that he is Publisher of The Piedmont Journal, a newspaper published in Calhoun County, Alabama, and that the attached notice was published in said newspaper on the following dates: 7/1-8-15-22, 1971.

CECIL WEATHERBEE.

Sworn to and subscribed before me this 22nd day of July, 1971.

LANE WEATHERBEE,  
Notary Public.

Also:

By Messrs. St. John and Drake:

H. 1994. Relating to counties having a population of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census; to provide for an annual clerk hire expense allowance to the probate judge of said counties.

Also:

By Messrs. Flippo and Hill:

H. 1998. To authorize and provide for branch banks in Lauderdale County, and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize and provide for branch banks in Lauderdale County, and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person, firm, association or corporation doing a banking or trust company business in Lauderdale County may establish a branch bank or branch office for the transaction of the banking business anywhere in said county, provided written consent of the state superintendent of banks be first had and obtained.

Section 2. The provisions of Code 1940, Title 5, Section 125 which conflict with this Act are specifically repealed as to all counties in which this Act applies, and all other laws, general or local in conflict herewith are also repealed as to such counties.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Flippo and Hill:

H. 1999. Relating to Lauderdale County, authorizing the county commission of such county to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

With notice and proof thereto attached and herewith exhibited as follows:

##### STATE OF ALABAMA COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County, authorizing the county commission of such county to set aside, appropriate, use and expend county funds

or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Lauderdale County.

Section 2. The county commission of Lauderdale County is hereby authorized to set aside, appropriate, use and expend county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore or hereafter formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Flippo and Hill:

H. 2000. To authorize the county commission in Lauderdale County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA

COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the county commission in Lauderdale County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Lauderdale County is authorized to regulate the planning and construction of all public streets, public roads and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in the county, including the power to require the filing and posting of a reasonable surety bond with such governing body by the developers of such subdivisions to guarantee the actual construction and installation of such approved proposed public streets, public roads and drainage structures before the sale or offering for sale of any lots from such subdivision to the public. The county commission may require the developers of all proposed subdivisions of lands situated outside the corporate limits of any municipality in the county to submit the plat of such proposed subdivision to the county commission of the county for approval before such plat is filed for record in the office of the judge of probate.

Section 2. If any such public street, public road or drainage structure is erected, constructed or maintained in violation of the provisions of this Act or any regulations made pursuant thereto, the county may institute appropriate action or proceedings to prevent such unlawful erection, construction or maintenance, or to require such erection, construction, or maintenance to conform to the regulations prescribed therefor.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.



Also:

By Messrs. Hill and Flippo:

H. 2001. Providing for the substitution by city boards of education in Lauderdale County for use in the city schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Providing for the substitution by city boards of education in Lauderdale County for use in the city schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

Be It Enacted by the Legislature of Alabama:

Section 1. In Lauderdale County, any city board of education, upon recommendation of the city superintendent of schools, may substitute other books or texts for use in the city schools under its jurisdiction for the textbooks on the list of state-approved or state-adopted textbooks prescribed by the State Board of Education. Whenever books or texts are so substituted for the state-approved or state-adopted textbooks, such books or texts must be used by the teachers in such city school system in teaching any course or courses for which a substitution has been made.

Provided, however, no City Board of Education shall substitute books or texts for the state-approved or state-adopted textbooks, if such substitution would cause such City Board of Education to be unable to furnish free textbooks to all students in the system through the twelfth grade.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of

Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Flippo and Hill:

H. 2002. Relating to Lauderdale County; providing for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Lauderdale County; providing for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

Be It Enacted by the Legislature of Alabama:

Section 1. After the end of the scholastic year 1962-63, the county board of education in Lauderdale County may substitute other books or texts for the textbooks on the list of state-approved or state-adopted textbooks prescribed by the State Board of Education. Whenever books or texts are substituted for the state-approved or state-adopted textbooks, such books or texts must be used by the teachers in the county school system in teaching any course or courses for which a substitution has been made.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Ala-

bama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Flippo and Hill:

H. 2003. Relating to the city of Florence; providing an expense allowance for members of the governing body of such cities.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the city of Florence; providing an expense allowance for members of the governing body of such cities.

Be It Enacted by the Legislature of Alabama:

Section 1. In the city of Florence, the mayor and members of the city commission or like governing body shall be entitled to an expense allowance of \$1,200 per annum. Such allowance shall be paid in equal monthly installments out of the city treasury from funds not otherwise appropriated and shall be in addition to all other allowances heretofore provided.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Hill and Flippo:

H. 2004. Relating to Lauderdale County; authorizing the district attorney of said county to appoint a stenographic secretary, and to provide for the payment of said secretary's compensation from the general funds of the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Lauderdale County; authorizing the district attorney of said county to appoint a stenographic secretary, and to provide for the payment of said secretary's compensation from the general funds of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Lauderdale County, the district attorney of said county may appoint a stenographic secretary who shall serve at the pleasure of the district attorney and shall perform such duties as he may direct. The compensation of such secretary shall be fixed by the district attorney at the sum of not exceeding five hundred dollars (\$500) per month. Said compensation shall be paid in monthly installments out of the general fund of the treasury of the county at the end of each month, or semi-monthly at the election of said secretary, such payment to be made on certificate issued by the district attorney of such county in favor of such secretary for the respective amounts due each month.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Hill and Flipppo:

H. 2005. To authorize the county commission of Lauderdale County to prescribe the times when county offices may be closed.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the county commission of Lauderdale County to prescribe the times when county offices may be closed.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Lauderdale County.

Section 2. The county commission of Lauderdale County may, in its discretion, and by resolution duly adopted, authorize the offices of the officials in the courthouse, including specifically the office of the judge of probate, or in other buildings used for county purposes to be closed at noon two days each week or all day one day each week in addition to Sundays and legal holidays.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also.

By Messrs. Hill and Flipppo:

H. 2006. Relating to Lauderdale County; regulating and prescribing the qualifications of persons engaged in the bail bond business in such counties, repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made. to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Lauderdale County; regulating and prescribing the qualifications of persons engaged in the bail bond business in such counties, repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In Lauderdale County, a person engaged in the business of making bail bonds and charging therefor, except corporations qualified to do a bonding business in this state, may qualify as bail and make a bail bond not exceeding \$10,000 in amount, provided he is a resident of the county and a householder and freeholder therein, has paid all privilege licenses due by him for the current year, and deposits in escrow with the probate judge of the county in cash, government bonds or other negotiable instruments, acceptable to the judge of probate, a minimum of \$5,000 or such other amount as will cover the total amount of bail bond on which he is or intends to become surety in such county. It is specifically provided, however, that no one bond on which he is surety shall ever exceed the cash value of his deposit in escrow with the judge of probate.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. The provisions of Alabama Code, Title 15, Section 201, in conflict with this Act are repealed as to all counties to which this Act applies.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Hill and Flippo:

H. 2007. Relating to Lauderdale County, to authorize the county commission in such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify to receive federal assistance under the federal Economic Opportunity Act of 1964.

With notice and proof thereto attached and herewith exhibited as follows:

##### STATE OF ALABAMA COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County, to authorize the county commission in such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify to receive federal assistance under the federal Economic Opportunity Act of 1964.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Lauderdale County shall have authority to appropriate and use such sums from the general funds of the county not otherwise appropriated, and to designate and use such county property, buildings, and facilities, as may be necessary to enable the county to participate in programs and receive benefits and funds provided for and made available by and from the federal government under Public Law 88-542, known as the Economic Opportunity Act of 1964, as approved by Congress on August 20, 1964, when such county commission, in its discretion, considers such action to be in the best interest of the county. Provided, however, that such sums and such property, buildings, and facilities shall not be appropriated, designated, or used in any manner which conflicts with the Constitution or statutes of the State of Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Hill and Flippo:

H. 2008. To provide for an appeal from any decision of a Civil Service Board in the city of Florence.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To provide for an appeal from any decision of a Civil Service Board in the city of Florence.



Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall be applicable to any Civil Service Board in the city of Florence.

Section 2. An appeal may be taken from any decision of the Civil Service Board in the following manner: Within ten (10) days after any final decision of such Board, any party, including the governing body of the city, feeling aggrieved at the decision of the Board, may appeal from any such decision to the Circuit Court of the County. Upon the filing of such appeal, notice thereof shall be served upon any member of the Board and a copy of said notice shall be served upon the appellee or his attorney by the appellant. Such appeal shall be heard at the earliest possible date by the court sitting without a jury, unless a jury is demanded by the appellant at the time of filing his notice of appeal or by the appellee within ten (10) days after notice of appeal has been served upon him. In the event either party demands a jury as provided above, the appeal shall be heard at the next regular jury term of court and shall have priority over all other cases. No bond shall be required for such an appeal and such an appeal shall be effected by filing a notice and request therefor by the appellant upon any member of the Civil Service Board and upon the appellee as herein provided for above and also by filing a notice and request for an appeal with the Clerk of the Circuit Court. It shall not be necessary to enter exceptions to the rulings of the Civil Service Board, and the appeal shall be a trial de novo; provided, however, that upon hearing such appeal the introduction of the decision of the Civil Service Board shall be prima facie evidence of the correctness of such decision. An appeal may be taken from any judgment of the Circuit Court to the Court of Appeals or the Supreme Court as now provided by law.

Section 3. All other laws and parts of laws in conflict herewith are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Hill and Flippo:

H. 2009. To provide for a clerk hire allowance for a secretary for any judge of a county court operating within the Eleventh Judicial Circuit.

Also:

By Messrs. Flippo and Hill:

H. 2010. To regulate the compensation of jurors in Lauderdale County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To regulate the compensation of jurors in Lauderdale County.

Be It Enacted by the Legislature of Alabama:

Section 1. All regular jurors, grand and petit, serving in Lauderdale County shall be entitled to twelve dollars for each day's service. This compensation shall be in addition to any allowances for mileage, ferriage and toll provided by law, and shall be payable out of the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its other-wise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Florence Times/Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1971.

R. N. HAMMELL.

Sworn to and subscribed before me July 24, 1971.

WALLACE E. OWEN, JR.,  
Notary Public, State at Large.

My Commission Expires 12/13/72.

Also:

By Messrs. Cauthen and Slate:

H. 2016. To repeal Act No. 189, H. 245 approved August 28, 1964, an Act relating to the Sheriff's deputies; number; tenure; and compensation in certain counties on a population basis (Acts of Alabama 1st and 2nd Special Sessions 1964, p. 254).

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1974, 1994, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010 and 2016. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Dill, Timmons and Parker (H):

H. 544. Relating to cities having a population of 300,000 or more according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 544. To the Committee on Local Legislation No. 2.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Cauthen, Slate, Carter, Crowe and Hearn:

H. J. R. 152. BE IT RESOLVED by the Legislature of Alabama, both houses thereof concurring, as follows:

WHEREAS, Carlton Kelley has served as the first and only president of John C. Calhoun State Technical Junior College in Limestone County; and

WHEREAS, Dr. Kelley has, with distinction, loyally, faithfully and effectively served this school, its students and the residents of the geographical area served by said school; and

WHEREAS, there has just been completed a gymnasium at said school, and the Legislature desires to honor Dr. Carlton Kelley by designating said structure "The Carlton Kelley Gymnasium";

NOW, THEREFORE, BE IT FURTHER RESOLVED that the new gymnasium recently completed at John T. Calhoun State Technical Junior College be and hereby is designated and named "The Carlton Kelley Gymnasium";

BE IT FURTHER RESOLVED that a copy of this act be forwarded to the appropriate official at said school for such dedicatory ceremony as may be appropriate, and to Dr. Kelley.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 152, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 75. Congratulating McDowell Lee, Secretary of the Senate, on the birth of a Son.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. May:

H. J. R. 144. WHEREAS, Mr. Novy Lee Hale passed away in Mobile, Alabama on November 14, 1970 of angioblastic cerebral sarcoma, hypertensive cardiovascular disease and other causes and

WHEREAS, Mr. Hale served the prison system of the State of Alabama and the people of this state faithfully, ably and well for over thirty years rising through the ranks from the position of "field guard" to that of "warden" of the Atmore Prison Farm and was highly regarded professionally and as a citizen active in the affairs of Escambia County, Alabama where he will be sorely missed by his family and a host of friends;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body express to the family of Mr. Hale its sincere appreciation for the long and faithful service of Novy Lee Hale to the State of Alabama and its people and notes with profound sorrow the passing of Mr. Hale and

extends its sincere sympathy to his sons, Clark Hale of McComb, Mississippi; Rodney Hale of Atlanta, Georgia, Douglas Hale of Atmore, Alabama, Donald Beasley of Pensacola, Florida, and to his daughters Mrs. Sue Duncan, Hopkinsville, Kentucky; Mrs. Sandra O'Brian of Hawaii and Miss Linda Hale of Atmore and to his mother Mrs. A. A. Hale of Atmore, Alabama and to his brother Mr. John Hale of Atmore, Alabama and to other members of his family to whom copies of this resolution shall be sent.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 144, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Cottingham:

H. J. R. 153. WHEREAS, Selma, Alabama, in Dallas County has the distinction of having at one time both United States Senators for the State of Alabama to be residents thereof, which cannot be claimed by any other city; and

WHEREAS, There is a bridge in Selma, Alabama, named after one of said Senators, Mr. Edmund Pettus; and

WHEREAS, Another bridge has now been constructed in Dallas County, and many of the citizenry of Dallas County have requested that said bridge be named after the other United States Senator, John Tyler Morgan.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new bridge in Dallas County, Alabama, spanning the Alabama River on Highway 80 be named the John Tyler Morgan Bridge and that the appropriate markers be placed thereon.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 153, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

#### BILLS ON THIRD READING

The Bill:

H. 501. To amend Act No. 168 (H. 270) Special Session of 1966, as amended, (Article 8A, Title 55, Code of Alabama as Recompiled and Amended) relating to the Alabama Historical Commission by increasing the Commission membership from fifteen to eighteen persons, by increasing the powers and duties of said Commission and by establishing a state depository for historic items.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Foshee	Littleton	Register
Carr	Givhan	Lybrand	Vacca
Clark	Hawkins	McLain	Weaver
Cooper	Horne	Noonan	Wilder
Dozier	Jones	O'Bannon	Wilson
Edington	King		

—25

Nays:

—0

### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Edington, further consideration of the Bill, S. B. 257, was indefinitely postponed by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 330. REQUIRING THE REGISTRATION AND LICENSING OF BARBERS AND BARBER APPRENTICES, AND BARBER COLLEGES, CREATING FOR THE ADMINISTRATION OF THIS ACT A STATE BOARD OF BARBER EXAMINERS, AND DEFINING VIOLATION OF THIS ACT AND PRESCRIBING PENALTIES THEREFOR.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

### RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 79. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the Twenty-Eighth Legislative Day only:

Bill No.	Page
1. H. 198	104
2. H. J. R. 56	13
3. S. R. 53 (Harris)	
4. S. 79	30
5. H. 702	196
6. S. 377	17
7. H. 471	71

On motion of Mr. Clark, said Resolution was then adopted by the Senate.

## SPECIAL ORDERS

## BILLS ON THIRD READING

The Senate proceeded to consideration of the special paramount and continuing order of business for today, the first of which was the Bill:

H. 198. To provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies, and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes.

The Standing Committee on Insurance reported the following amendment to the Bill, H. B. 198, to-wit:

## AMENDMENT TO H. B. 198

Amend H. B. 198 by striking Section 195 in its entirety and substituting in lieu thereof the following:

"Section 195. "SURPLUS LINE" INSURANCE. If certain insurance coverages cannot be procured on terms acceptable to the insureds from authorized insurers, such coverages, hereinafter designated "surplus lines", may be procured from unauthorized insurers subject to the terms and conditions of either subsection (1) or subsection (2) next following:

(1) (a) The insurance must be procured through a licensed surplus line broker.

(b) The full amount of insurance required must not be procurable, after diligent effort has been made to do so, from among the insurers authorized to transact and actually transacting that kind and class of insurance in this state, or has been procured to the full extent such insurers are willing to insure.

(c) The insurance must not be procured for the purpose of securing advantages as to a lower premium rate than would be accepted by an authorized insurer.

(d) This section, and this surplus line law, does not apply as to life insurance or disability insurance.

(2) The contracts of insurance are issued to an industrial insured, defined as an insured (a) which procures the insurance of any risk by use or services of a full time employee acting as an insurance manager or buyer or the services of a regularly and continuously retained, qualified insurance consultant, (b) whose aggregate annual premiums for insurance on all risks other than workmen's compensation and group insurance, total at least \$25,000; and (c) which has at least 25 employees."

Further amend H. B. 198 as follows:

(1) Page 132 Line 24, change "BUREAU OF RATES" to "GENERAL PROVISIONS CONCERNING REGULATION OF RATES".

(2) P. 132 L. 26 through 28, delete everything after Section 252 and in place of the deleted material insert "Reserved".

(3) P. 132 L. 31, change "bureau of rates" to "Commissioner of Insurance".

(4) P. 132 L. 39 and 40, change the "commissioner of the department of insurance or the supervisor of rates" to the "Commissioner of Insurance".

(5) P. 132 L. 42, change "said bureau" to "the Department of Insurance".

(6) P. 132 L. 44, change "bureau of rates" to "Commissioner".

(7) P. 132 L. 45, change "bureau" to "Commissioner".

(8) P. 132 L. 47 and 48, change "bureau of rates" to "Commissioner of Insurance".

(8a) P. 133 L. 1, change "it" to "he".

(9) P. 133 L. 6 and 7, change "bureau of rates" to "Commissioner of Insurance".

(9a) P. 133 L. 25 and 26, delete "plans;" and delete the semi-colons after "insurance" and "systems".

(10) P. 133 L. 39 and 40, delete Subsection (g) and reletter Subsection (h) as (g).

(11) P. 133 L. 42 through 44, delete Subsection (i) and reletter Subsection (j) as (h).

(12) P. 133 L. 48, reletter Subsection (k) as (i).

(12a) P. 134 L. 3, delete the quotes at the end of the sentence.

(13) P. 134 L. 38, change "bureau" to "Commissioner".

(14) P. 134 L. 46, change "bureau" to "Department".

(15) P. 135 L. 10, change "supervisor" to "Commissioner".

(16) P. 135 L. 13, change "supervisor" to "Commissioner".

(17) P. 135 L. 16, change "supervisor" to "Commissioner".

(18) P. 135 L. 22, change "bureau" to "Department".

(19) P. 135 L. 31, change "bureau" to "Commissioner".

(20) P. 135 L. 32, change "bureau" to "Commissioner".

(21) P. 135 L. 34, change "bureau" to "Department".



- (22) P. 135 L. 41, change "bureau" to "Commissioner".
- (23) P. 135 L. 43, change "supervisor" to "Commissioner" in both places where the word appears.
- (24) P. 135 L. 46, after "rate-making", delete "and".
- (25) P. 135 L. 47, change "(d) and maintain" to "and (d) maintains".
- (26) P. 136 L. 1, delete the period after "Birmingham" and add the following, "and he shall issue a license to such rating organization authorizing it to engage in rate-making for the kinds of insurance specified in such license".
- (27) P. 136 L. 2, change "Such service offices to" to "The service offices described in the preceding sentence shall".
- (28) P. 136 L. 4, change "bureau" to "Commissioner".
- (29) P. 136 L. 10 and 11, change "bureau" to "Department".
- (30) P. 136 L. 11 through 13, change the comma after "same" on Line 11 to a period and delete the rest of that sentence.
- (31) P. 136 L. 13, change "supervisor" to "Commissioner".
- (32) P. 136 L. 21, change "bureau" to "Department".
- (33) P. 136 L. 25, change "bureau" to "Department".
- (35) P. 136 L. 46, change "supervisor" to "Commissioner".
- (36) P. 137 L. 24, after "if any;" insert "(d) give consideration".
- (37) P. 137 L. 25, after "involved" delete ";to" and in place thereof insert "including".
- (38) P. 137 L. 26, substitute a comma for the semi-colon after "insurer".
- (39) P. 137 L. 27, delete the comma after "policyholders".
- (40) P. 137 L. 38, 39, 42 and 48, change "bureau" to "Department".
- (40a) P. 137 L. 47, change "bureau" to "Commissioner".
- (41) P. 138 L. 1 and 6, change "bureau" to "Department".
- (42) P. 138 L. 15, change "BUREAU" to "DEPARTMENT".
- (43) P. 138 L. 18, change "bureau" to "Department".
- (44) P. 138 L. 31, change "SUPERVISOR" to "COMMISSIONER".
- (45) P. 138 L. 33 and 43, change "supervisor" to "Commissioner".
- (46) P. 139 L. 1, change "the bureau" to "he".
- (47) P. 139 L. 4 and 7, change "supervisor" to "Commissioner".
- (48) P. 139 L. 8, after "him" add a comma and the words "or which" and delete the comma after 274.
- (49) P. 139 L. 9, delete "or which".
- (49a) P. 139 L. 19, change "bureau" to "Department".
- (50) P. 139 L. 21, 22 and 24, change "bureau" to "Commissioner".

- (51) P. 139 L. 27, 29 and 34, change "supervisor" to "Commissioner".
- (52) P. 139 L. 48, change "BUREAU" to "DEPARTMENT".
- (53) P. 140 L. 2, change "bureau" to "Department".
- (54) P. 140 L. 7 and 13, change "bureau" to "Commissioner".
- (55) P. 140 L. 15 and 18, change "supervisor" to "Commissioner".
- (56) P. 140 L. 22, change "BUREAU" to "COMMISSIONER".
- (57) P. 140 L. 24, change "bureau" to "Commissioner".
- (58) P. 140 L. 27 and 28, 34, 39 and 40, change "supervisor" to "Commissioner".
- (59) P. 141 L. 7, change "supervisor" to "Commissioner".
- (60) P. 141 L. 17, change "bureau" to "Commissioner".
- (61) P. 141 L. 18 and 23, change "supervisor" to "Commissioner".
- (62) P. 141 L. 37, change "SUPERVISOR" to "COMMISSIONER".
- (63) P. 141 L. 39, change "supervisor" to "Commissioner".
- (64) P. 141 L. 41, add a colon after "consider".
- (65) P. 142 L. 2 and 4, delete "to".
- (66) P. 142 L. 12 and 20, change "supervisor" to "Commissioner".
- (67) P. 142 L. 24, change "bureau" to "Department".
- (68) P. 142 L. 30, change "supervisor" to "Commissioner".
- (69) P. 142 L. 39, change "bureau" to "Department".
- (70) P. 143 L. 5, change "bureau" to "Commissioner".
- (71) P. 143 L. 7, change "bureau" to "Department".
- (72) P. 143 L. 11, 13 and 14, change "supervisor" to "Commissioner".
- (73) P. 143 L. 24, after "thereof" add "or".
- (74) P. 143 L. 32, change "BUREAU" to "COMMISSIONER".
- (75) P. 143 L. 36 and 47, change "bureau" to "Commissioner".
- (76) P. 144 L. 14, change "bureau" to "Department".
- (77) P. 144 L. 26 and 28, change "bureau" to "Commissioner".
- (78) P. 144 L. 28, change "its" to "his".
- (79) P. 144 L. 31, change "SUPERVISOR" to "COMMISSIONER".
- (80) P. 144 L. 32, change "supervisor" to "Commissioner".
- (81) P. 144 L. 48, change "bureau" to "Commissioner".
- (82) P. 145 L. 11, change "supervisor" to "Commissioner".
- (83) P. 145 L. 14, change "BUREAU" to "COMMISSIONER".
- (84) P. 145 L. 15, change "bureau of rates" to "Commissioner".

(85) P. 145 L. 25 and 30, change "supreme court of Alabama" to "Court of Civil Appeals of Alabama".

(86) P. 145 L. 31 and 32, change "supreme court" to "Court of Civil Appeals".

(87) P. 145 L. 42 and 43, change "SUPERVISOR" to "COMMISSIONER".

(88) P. 145 L. 43 and 44, change "supervisor" to "Commissioner".

(89) P. 145 L. 45, change "bureau of rates" to "Department".

(90) P. 145 L. 47, change "supervisor" in both places in the line to "Commissioner".

(91) P. 145 L. 48, change "supervisor" to "Commissioner".

(92) P. 146 L. 3, change "supervisor" to "Commissioner".

(93) P. 146 L. 35 and 36, delete Subsection (g) and reletter Subsection (h) as (g).

(94) P. 146 L. 38 and 39, delete Subsection (i) and reletter Subsection (j) as (h).

(95) P. 146 L. 44, reletter Subsection (k) as (i).

(95a) P. 146 L. 47 and 48, delete the sentence.

(96) P. 147 L. 13 and 14, change "bureau" to "Commissioner".

(97) P. 147 L. 16, change "bureau" to "Department".

(98) P. 147 L. 23, change "bureau" to "Commissioner".

(99) P. 147 L. 25, 25 and 26 and 32, change "supervisor" to "Commissioner".

(100) P. 147 L. 40 and 43, change "bureau" to "Department".

(101) P. 148 L. 16 and 18, change "supervisor" to "Commissioner".

(102) P. 148 L. 39, after "risk:" add "(c) give consideration".

(103) P. 148 L. 40, after "involved" delete ";to" and in place thereof insert "including".

(104) P. 148 L. 41, substitute a comma for the semi-colon after "insurer".

(105) P. 148 L. 47, change "supervisor" to "Commissioner".

(106) P. 149 L. 6, 7, 9, 15, 16 and 22, change "bureau" to "Department".

(106a) P. 149 L. 14, change "bureau" to "Commissioner".

(107) P. 149 L. 23, 27 and 31, change "supervisor" to "Commissioner".

(108) P. 149 L. 36, change "BUREAU" to "DEPARTMENT".

(109) P. 149 L. 39, change "bureau" to "Department".

(110) P. 150 L. 1, change "SUPERVISOR" to "COMMISSIONER".

(111) P. 150 L. 3 and 13, change "supervisor" to "Commissioner".

(112) P. 150 L. 18, change "the bureau" to "he".

- (113) P. 150 L. 21 and 24, change "supervisor" to "Commissioner".
- (114) P. 150 L. 26, add a comma after "approval".
- (115) P. 150 L. 35, 37, and 40, change "bureau" to "Department".
- (115a) P. 150 L. 38, change "bureau" to "Commissioner".
- (116) P. 150 L. 42 and 43, change "supervisor" to "Commissioner".
- (117) P. 151 L. 9, 12 and 21, change "supervisor" to "Commissioner".
- (118) P. 151 L. 28, change "bureau" to "Department".
- (119) P. 151 L. 34, change "BUREAU" to "DEPARTMENT".
- (120) P. 151 L. 36, change "bureau" to "Department".
- (121) P. 151 L. 41 and 47, change "bureau" to "Commissioner".
- (122) P. 152 L. 1 and 4, change "supervisor" to "Commissioner".
- (123) P. 152 L. 8, change "BUREAU" to "COMMISSIONER".
- (124) P. 152 L. 10, change "bureau" to "Commissioner".
- (125) P. 152 L. 13 and 14, 20, 25, 26 and 42, change "supervisor" to "Commissioner".
- (126) P. 152 L. 45, change "SUPERVISOR" to "COMMISSIONER".
- (127) P. 152 L. 47, change "supervisor" to "Commissioner".
- (128) P. 153 L. 5 and 13, change "supervisor" to "Commissioner".
- (129) P. 153 L. 17, change "bureau" to "Department".
- (130) P. 153 L. 23, change "supervisor" to "Commissioner".
- (131) P. 153 L. 31, change "bureau" to "Department".
- (132) P. 153 L. 41, change "bureau" to "Commissioner".
- (133) P. 153 L. 43, change "bureau" to "Department".
- (134) P. 153 L. 47, change "supervisor" to "Commissioner".
- (135) P. 154 L. 1, change "supervisor" to "Commissioner".
- (136) P. 154 L. 21, change "BUREAU" to "COMMISSIONER".
- (137) P. 154 L. 25 and 36, change "bureau" to "Commissioner".
- (138) P. 155 L. 4, change "bureau" to "Department".
- (139) P. 155 L. 16 and 17, change "bureau" to "Commissioner".
- (140) P. 155 L. 18, change "bureau" to "Commissioner" and "its" to "his".
- (141) P. 155 L. 21, change "SUPERVISOR" to "COMMISSIONER".
- (142) P. 155 L. 22, change "supervisor" to "Commissioner".
- (143) P. 155 L. 38, change "bureau" to "Commissioner".
- (144) P. 156 L. 1, change "supervisor" to "Commissioner".
- (145) P. 156 L. 5, change "BUREAU" to "COMMISSIONER".

(146) P. 156 L. 6, change "bureau of rates" to "Commissioner".

(147) P. 156 L. 16 and 21, change "supreme court of Alabama" to "Court of Civil Appeals of Alabama."

(148) P. 156 L. 22 and 23, change "supreme court" to "Court of Civil Appeals".

(149) P. 156 L. 26 and 27, change "SUPERVISOR" to "COMMISSIONER".

(150) P. 156 L. 27 and 28, change "supervisor" to "Commissioner".

(151) P. 156 L. 29, change "bureau of rates" to "Department".

(152) P. 156 L. 31 (twice), 32, 35, change "supervisor" to "Commissioner".

(153) P. 157 L. 9, 15, 19, 21, 23, 35 and 36, capitalize "commissioner".

(154) P. 158 L. 8, capitalize "commissioner".

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Noonan
Bailes	Gilmore	King	O'Bannon
Branyon	Givhan	Lindsey	Owen
Carr	Hammond	Littleton	Pierce
Clark	Harris	Lybrand	Register
Cook	Hawkins	McLain	Weaver
Dominick	Horne	Malone	Wilder
Dozier			

—28

Nays:

—0

Mr. Lybrand offered the following amendment to the Bill, H. B. 198, as amended, to-wit:

#### AMENDMENT TO ALABAMA HOUSE BILL 198

1. Amend page 42, Section 78, line 38, by inserting after "December 31" and before the period, the following:

"except as to wet marine and transportation insurance as defined in Section 93".

2. Amend page 42, Section 79, line 45, by inserting after the word "state", the following:

"(except as to wet marine and transportation insurance as defined in Section 93)".

3. Amend page 46, Section 80, line 23, by inserting after the word "state", the following:

"(except as to wet marine and transportation insurance as defined in Section 93)".

4. Amend Page 47, line 43, by adding a new Section 81 to read as follows:

"Section 81. Tax on wet marine and transportation Insurance. (1) On or before March 1 of each year, each insurer shall file with the Com-

missioner, on forms prescribed and furnished by him, a report of its gross underwriting profit on wet marine and transportation insurance, as defined in Section 93, written in this State during the calendar year next preceding, and shall at the same time pay to the Commissioner a tax of three-quarter ( $\frac{3}{4}$ ) of one per cent (1%) of such gross underwriting profit.

(2) Such gross underwriting profit shall be ascertained by deducting from the net premiums (i.e. gross premiums less all return premiums and premiums for reinsurance) on such wet marine and transportation insurance contracts the net losses paid (i.e. gross losses paid less salvage and recoveries on reinsurance ceded) during such calendar year under such contracts. In the case of insurers issuing participating contracts, such gross underwriting profit shall not include for computation of the tax prescribed by this subsection. (2) the amounts refunded or paid as participation dividends by such insurers to the holders of such contracts.

(3) The Commissioner shall deposit all taxes collected under this section in the State Treasury to the credit of the State General Fund."

5. Amend page 47 by renumbering as Section 82 the present Section 80, and on page 48 renumber as Sections 83, 84, 85 and 86 the present Sections 81, 82, 83 and 84.

6. Amend page 47, present Section 80, line 46, by changing "82" to "81".

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen
Bailes	Foshee	King	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Vacca
Clark	Hammond	McLain	Weaver
Cook	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington			

—28

Nays:

—0

Mr. Lybrand then offered the following amendment to the Bill, H. B. 198, as amended, to-wit:

#### AMENDMENT TO H. B. 198

Amend H. B. 198 in Section 134 (2) by striking the word "January" and substituting in lieu thereof the word "December" and

Amend Section 134 (3) by striking the word "January" and substituting in lieu thereof the word "December"

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Carr	Edington	Gilmore
Bailes	Clark	Fine	Givhan
Branyon	Cook	Foshee	Hammond

Hawkins	Littleton	O'Bannon	Vacca	
Horne	Lybrand	Owen	Weaver	
Jones	Malone	Pierce	Wilder	
King	Noonan	Register	Wilson	
Lindsey				—28
<i>Nays:</i>				—0

Mr. Lybrand then offered the following amendment to the Bill, H. B. 198, as amended, to-wit:

## AMENDMENT TO H. B. 198

Amend H. B. 198, in Section 118 (3) by striking in its entirety the following phrase, set in parenthesis:

“(except as to representatives mentioned in subsection (2) above)”

Which was adopted.

Yeas 29; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Malone	Weaver	
Cook	Hammond	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—29

*Nays:* —0

And said Bill, H. B. 198, as thus amended, was read a third time at length and passed.

Yeas 32; Nays 0.

*Yeas:*

Messrs.:	Fine	Jones	O'Bannon	
Bailes	Foshee	King	Owen	
Branyon	Gilmore	Lindsey	Pierce	
Carr	Givhan	Littleton	Register	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Malone	Wilder	
Dominick	Horne	Noonan	Wilson	
Edington				—32

*Nays:* —0

## The Resolution:

H. J. R. 56. Resolution proposing an amendment to the Constitution of Alabama relating to the age at which persons are entitled to register and to vote; and respecting the rights, privileges, immunities, responsibilities and liabilities of persons eighteen years of age and upwards.

was read a third time at length as required by the Constitution and lost for failure to receive a Constitutional Majority.

Yeas 16; Nays 16.

*Yeas:*

Messrs.:	Gilmore	Lindsey	Malone
Branyon	Givhan	Littleton	Noonan
Cooper	Hammond	Lybrand	Weaver
Edington	Hawkins	McLain	Wilder
Fine			

—16

*Nays:*

Messrs.:	Dominick	Horne	Owen
Bailes	Dozier	Jones	Pierce
Carr	Foshee	King	Register
Clark	Harris	O'Bannon	Wilson
Cook			

—16

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 519. To repeal Act No. 356, H. 627, approved August 30, 1963, entitled, "An Act relating to powers of cities having populations of not less than 200,000 and not more than 300,000, according to the last or any subsequent Federal Decennial Census; authorizing the governing bodies of such cities to adopt ordinances, which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act, "(Acts of Alabama 1963, vol. 2, p. 855)"; and to repeal the two Acts amending the above Act viz. Act No. 613, H. 1145, approved August 30, 1965, (Acts of Alabama, Regular Session 1965, vol. 2, p. 1127), and Act No. 83, H. 140, approved September 30, 1965, (Acts of Alabama, 2nd Special Session 1965, vol. 1, p. 113).

Also:

S. 520. Relating to the powers of cities having populations of not less than 175,000 nor more than 275,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances to permit certain commissions for the preservation and protection of the historic architectural character of the city and the promotion of historic districts as tourist attractions, to provide certain outdoor dining facilities in connection with such promotion.

Also:

S. 521. To amend the Title and Section 1 of Act No. 126, H. 158, Second Special Session 1963 (Acts 1963, p. 314), which provides for advisory referendum elections in certain cities classified on a population basis.

Also:

S. 522. To amend the Title and Section 1 of Act No. 435, H. 402, Special Session 1966 (Acts 1966, p. 580), which provide for a retirement pension for certain elected public officials in certain cities classified on a population basis.



Also:

S. 523. To amend the Title and Section 1 of Act No. 749, S. 570, Regular Session 1967 (Acts 1967, p. 1603), which authorizes and provides for the payment of supplemental retirement benefits to certain municipal employees in certain cities classified on a population basis.

Also:

S. 524. To amend the Title and Section 1 of Act No. 613, H. 1179, Regular Session, 1961 (Acts 1961, p. 729), which authorizes certain cities classified on a population basis to make payments to widows and children of former deceased employees of such cities.

Also:

S. 525. To amend the Title and Section 1 of Act No. 287, H. 193, Special Session 1965 (Acts 1965, p. 395), as last amended, which provides for compensation of members of the boards of commissioners and imposes a qualifying fee upon persons who desire to become candidates for the office of commissioner of certain cities classified on a population basis.

Also:

S. 526. To amend the Title and Section 1 of Act No. 716, H. 1012, Regular Session, 1967 (Acts 1967, p. 1553), which provides civil service or merit system status for Chiefs of Police of certain cities classified on a population basis.

Also:

S. 527. To amend the Title and Section 1 of Act No. 502, S. 445, Regular Session 1963 (Acts 1963, p. 1084), which provides for the reduction of the corporate limits of certain cities classified on a population basis.

Also:

S. 528. To amend the Title and Section 1 of Act No. 823, S. 138, Regular Session 1965 (Acts 1965, p. 1539), which further provide for the form of government of certain cities classified on a population basis.

Also:

S. 529. To amend the Title and Section 1 of Act No. 39, H. 67, Special Session 1962 (Acts 1962, p. 50), which provides for the appointment of an administrative assistant in certain cities classified on a population basis.

Also:

S. 530. Further amending Section 781, Title 37, Code of Alabama 1940, as amended; prescribing certain qualifications for membership of the board of adjustment in cities of not less than 175,000 nor more than 275,000 population according to the most recent federal decennial census.

Also:

S. 531. To amend the Title and Section 1 of Act No. 682, H. 937, Regular Session, 1967 (Acts 1967, p. 1508), which provides for a retirement pension for certain elected public officials of certain cities classified on a population basis.

Also:

S. 533. To amend the Title and Section 1 of Act No. 458, H. 501, Regular Session, 1967 (Acts 1967, p. 1150), which provides that certain cities classified on a population basis shall be empowered to offer rewards for apprehension of criminals.

Also:

S. 535. To amend the Title and Section 1 of Act No. 26, H. 48, Special Session 1962 (Acts 1962, p. 37), which provides for the payment of benefits to employees of certain cities classified on a population basis.

Also:

S. 536. To amend the Title and Section 1 of Act No. 255, H. 269, Special Session 1964 (Acts 1964, p. 351), as amended by Act No. 379, H. 427, Special Session 1966 (Acts 1966, p. 523), which provides for the compensation of the ex officio judge of certain cities classified on a population basis.

Also:

S. 537. To amend the Title and Section 1 of Act No. 33, H. 48, Special Session 1970 (Acts 1970, p. 2655), which authorizes certain cities classified on a population basis to make appropriations to any State institution of higher learning.

Also:

S. 538. To amend the Title, Section 1, and Section 2 of Act No. 666, H. 916, Regular Session 1967 (Acts 1967, p. 1487), which provides for the administration of property for parking facilities.

Also:

S. 539. To amend the title and Section 1 of Act No. 194, S. 99; Special Session 1969 (Acts 1969, p. 257), which Act provides for a public transit system in certain cities classified on a population basis.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 386. To provide a form of municipal government to be known as the mayor-council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 30,000 nor more than 33,000 according to the most recent federal decennial census; to provide the method by which any such city may adopt the mayor-council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the mayor-council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a

mayor and for the filling of vacancies in the office of mayor and to provide the duties and authority of the mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the mayor-council form of government; to make various other provisions for any such city which adopts the mayor-council form of government and for the government thereof; and to provide for the means of abandoning the mayor-council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Also:

S. 387. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of not less than 30,000 nor more than 33,000, according to the most recent federal decennial census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Also:

S. 812. To alter, redefine, rearrange and extend the boundary lines and corporate limits of the City of Luverne in Crenshaw County.

Also:

S. 813. To alter, rearrange and extend the boundary lines and corporate limits of the town of Glenwood in Crenshaw County.

Also:

S. 814. To amend Section 7 of Act No. 112, S. 51, Special Session 1971, approved May 11, 1971, which provides for the election of members of the Crenshaw County Commission so as to make the provisions of the Act effective immediately.

Also:

S. 854. Relating to Walker County; to impose a trial tax on all cases in the Inferior Court of the county.

Also:

S. 855. Relating to Walker County, providing for the participation of certain county employees in the Employees' Retirement System of Alabama.

Also:

S. 856. To further regulate the late fee collected in the tax collectors office in all counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

Also:

S. 857. Relating to Walker County; to provide an expense allowance to the Judge of the Inferior Court of said county.

Also:

S. 907. To provide for expense allowances for Probate Judges in certain counties classified on a population basis.

Also:

S. 908. To provide for expense allowances for Tax Collectors in certain counties classified on a population basis.

Also:

S. 909. To provide for expense allowances for the Judge of the Intermediate Court in certain counties classified on a population basis.

Also:

S. 910. To provide for expense allowances for tax assessors in certain counties classified on a population basis.

Also:

S. 911. Relating to counties having a population of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; to provide for an increase from \$.50 to \$1.00 in the assessment fee on real and personal property in such counties.

Also:

S. 943. To amend the title and Section 1 of Act No. 127, H. 142, Regular Session 1961 (Acts 1961, p. 167) which provides for the election of the municipal governing body in certain cities classified on a population basis.

Also:

S. 944. To amend the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49) which provides for expense allowance for members of the boards of education in certain counties classified on a population basis.

Also:

S. 945. To amend Section 6 of Act No. 313, H. 243, approved February 13, 1895 (Acts 1894-5, p. 553), entitled An Act to regulate and prescribe the manner of electing county commissioners of Perry County; so as to regulate further the manner of electing such commissioners and to prescribe their qualifications.

JOHN W. PEMBERTON,  
Clerk.

#### REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 53. Establishing a permanent standing committee on Standards of Official Conduct in the Senate of Alabama

Mr. Harris moved that said Resolution, S. R. 53, be re-referred to the Standing Committee on Rules, which motion was adopted, and the President and Presiding Officer of the Senate ordered said Resolution, S. R. 53, re-referred to the Standing Committee on Rules.

## RESOLUTION

Mr. Harris offered the following Senate Joint Resolution, to-wit:

S. J. R. 80. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be hereby established a permanent standing legislative committee on Standards of Official Conduct in each house of the Legislature. The committee in the Senate shall consist of five senators appointed by the presiding officer of the Senate, and the committee in the House of Representatives shall consist of seven members of the House of Representatives appointed by the Speaker.

(A) Each of the committees, hereby established, shall be invested with the following specific powers:

1. To have referred to them measures relating to a code of official conduct or amendments thereto, together with any measures relating to financial disclosures required by members of the respective houses.

2. To recommend to the respective houses of the legislature, from time to time, such legislative or administrative actions as the committee may deem appropriate to establish and enforce standards of official conduct for members of the respective houses.

3. To investigate, subject to limitations herein recommended, any alleged violations by a member of the respective house, of the code of official conduct for such house, or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such member in the performance of his official duties or the discharge of his responsibilities as a legislator, and, after notice and a hearing, at which the accused member must be given the opportunity to appear with counsel and present evidence and cross examine witnesses appearing against him, to recommend to the respective house, by resolution or otherwise, such action and the procedure for such action as the committee may deem appropriate in the circumstances.

4. To give consideration to the request of a member of the respective houses for an advisory opinion with respect to the general propriety of any current or proposed conduct of a member, and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinions for the guidance of other members.

(B) The following limitations are hereby placed on the authority of each of such committees:

1. No resolution, report, recommendation or advisory opinion relating to the official conduct of a member of the house of the legislature involved shall be made, and no investigation of such conduct shall be undertaken, unless approved by an affirmative vote of the majority of the members of the committee.

2. Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual member only (a) upon receipt of a complaint, in writing, made by a member of the respective house and delivered to the committee by the member making such complaint, or (b) upon receipt of a complaint from an individual non-legislator, in writing and under oath, submitted to a member of the house as to which the complaint relates and transmitted to a committee by a member of the house to which the complaint relates, or (c) upon receipt of a complaint, in writing and under oath, directly from an individual not a member of either house of the legislature if the committee finds that such complaint has been sub-

mitted by such individual to no less than two members of that house as to which the complaint relates which members must be fully identified by the complaining party and where such members have refused to transmit such complaint to the committee.

3. No investigation shall be undertaken of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation.

4. A member of the committee shall be ineligible to participate as a member of the committee, in any committee proceeding relating to his official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the presiding officer of the respective house shall designate a member of that house to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

(C) FURTHER RESOLVED That a Code of Official Conduct for Legislators, is hereby established, as follows:

1. A member of the Legislature of Alabama shall conduct himself at all times in a manner which will reflect creditably on the Legislature of Alabama.

2. Every member of the Legislature of Alabama shall adhere to the spirit and letter of the rules of the respective houses of the Legislature of Alabama and to the rules of duly constituted committees thereof, including committees on Standards of Official Conduct.

3. No member of the Legislature of Alabama shall receive any compensation nor shall he permit any compensation to accrue to his beneficial interest, the receipt of which would occur by virtue of influence exerted from his position in the Legislature and where such compensation is to any degree conditioned upon such exertion of influence.

4. No member of the Legislature shall knowingly solicit, accept or receive any gift, thing of economic value, or compensation other than that to which he is entitled from the State, which is intended to influence the performance of his official duties or which would influence the performance of his official duties, nor shall any member solicit, accept or receive such gift, thing of economic value, or compensation for advocating the passage or defeat of any legislation or for doing any act intended to influence the passage or defeat of legislation, including his vote thereon. No member of the Legislature shall accept any gift or thing of substantial economic value, directly or indirectly, from any person, organization or corporation having a direct interest in legislation before the Legislature of Alabama. Gift, as used in this section shall include any thing of economic value with the exception of public awards, insignificant nonpecuniary gifts or compensation or gifts not connected with or related to either the legislative processes or the donee's services as a member of the Legislature, nor shall gift or thing of economic value mean any food, drink or refreshments consumed by any official, including reasonable transportation and entertainment incident thereto while a personal guest of the person providing such.

5. No member of the Legislature shall accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority, nor shall a member of the Legislature use confidential information acquired by him in the course of his official duties to further his personal interests.

(D) RESOLVED FURTHER That, in addition to complying with the above prescribed Code of Official Conduct, each member of the Legislature shall, within 30 days of the adoption of this resolution, or not later than April 30 following the date of their election if they are elected in a general election year, or within four (4) months following their election other than in a general election, and each year thereafter during their term of office not later than April 30, file with the Committee on Standards of Official Conduct of the respective house of the Legislature a report disclosing certain financial interests as described below. The interest of a spouse or any other party, if constructively controlled by the person reporting, shall be considered to be the same as the interest of the person reporting. The report shall be in two parts, hereinafter designated Part "A" and Part "B".

#### PART "A"

1. List the name, instrument of ownership, and any position of employment held in any business entity doing business with the State of Alabama or any of its agencies or departments where the gross receipts for products, goods or services sold, furnished or supplied by such business entity to the State of Alabama or any of its agencies or departments, exceeds \$5,000 in any one calendar year, where the ownership by the legislator in such business entity is in excess of 10% of the equity interests in such business entity as of the date of filing, or where the legislator received \$1,000 or more as income from such business during the preceding calendar year. Do not list any time or demand deposit in a financial institution or any debt instrument having a fixed yield unless it is convertible to an equity interest.

2. List the name, address and type of practice of any professional organization in which the person reporting, or his spouse, is an officer, director or partner, or serves in any advisory capacity, from which income of \$1,000 or more was received during the preceding calendar year.

(a) If the professional organization in which the person reporting or his spouse is the owner, or an officer, director or partner, or serves in any advisory capacity, has, during the preceding calendar year, received any compensation or entered into any agreement whereby compensation would be received, for services rendered or to be rendered, as a retainer, or otherwise, from any trade organization, association or professional association, or from any person, firm or corporation whose regular business activities, as distinguished from mere licensing to do business, is subject to regulation and examination by a regulatory agency of the State of Alabama, and where such compensation to such professional organization during the preceding calendar year from any such trade organization, association or professional association, or corporation or other business entity exceeded or will, pursuant to an agreement for services to be rendered exceeded the sum of \$1,000, then the person so reporting shall list the name and address of such trade organization, association, professional association, corporation or other business entity.

3. Information filed under Part "A" shall be maintained by the Committees on Standards of Official Conduct and made available at reasonable hours to responsible public inquiry, subject to such regulations as the committee may prescribe, including, but not limited to, regulations requiring identification by name, occupation, address and telephone number of each person examining information filed under Part "A".

## PART "B"

1. If any member of the Legislature shall receive any compensation or enter into any agreement with any person, firm, corporation or other business entity for compensation for services rendered or to be rendered, for assisting any such person, firm, corporation or other business entity in any way in any transaction involving the State of Alabama or any of its officials, agencies or departments, including representation in hearings before State agencies, boards or commissions, but excluding all courts, such member shall file with the Committee on Standards of Official Conduct of the respective house of the Legislature of which he is a member, within thirty days after the receipt of such compensation, or entry into agreement for such compensation, a statement in writing disclosing the following: (a) The name and address of the person, firm or corporation or other business entity from which such compensation has been or will be received; (b) Whether or not the compensation so received, or contracted to be received, exceeds \$100 if the precise amount of such compensation has been fixed, and if not, state the basis on which such compensation is to be computed; and (c) The identification of the state agency, board or commission or official before whom the legislator will appear or with whom the legislator will deal in any transaction for the compensation so paid or to be paid to him. ~~No specific form for the disclosure of the foregoing information is required,~~ but a letter containing the required information shall be sufficient. Such information filed under this Part "B" shall be maintained by such Committee on Standards of Official Conduct, and made available to responsible public inquiry in the same manner and upon the same conditions as the disclosures required in Part "A" hereof.

Mr. McLain offered the following amendment to the Resolution, S. J. R. 80, to-wit:

## AMENDMENT TO S. J. R. 80

Amend S. J. R. 80 by striking therefrom 2(c).

On motion of Mr. Harris, said amendment was laid on the table.

Mr. Dominick offered the following amendment to the Resolution, S. J. R. 80, to-wit:

## AMENDMENT TO S. J. R. 80

Amend S. J. R. 80 by striking the first paragraph thereof and inserting in lieu thereof the following: "Be It Resolved By the Legislature of Alabama, Both Houses thereof concurring, that the Committee on Rules in each house of the Legislature be hereby designated as the standing committee to which all questions relating to the interpretation and enforcement of rules on legislative conduct and ethics shall be referred."

On motion of Mr. Harris, said amendment was laid on the table.

Mr. Dominick offered the following amendment to the Resolution, S. J. R. 80, to-wit:

## AMENDMENT TO S. J. R. 80

Amend Section 2 by adding thereto the following: "(d) upon receipt of a verified complaint in writing by any non-legislative member of the Legislature; provided that the committee's investigation and



hearing upon such complaint shall be confidential until a majority of such committee finds the complaint to be valid and takes action thereon."

On motion of Mr. Harris, said amendment was laid on the table.

Mr. Dominick offered the following amendment to the Resolution, S. J. R. 80, to-wit:

#### AMENDMENT TO S. J. R. 80

Amend Section (B)2 by adding the following sentence: Investigations and hearings on all complaints shall be confidential until such time as the committee has affirmatively acted thereon and has found the complaint to be valid.

Which was adopted.

And said Resolution, S. J. R. 80, as thus amended, was then adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 198. To provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies, and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes.

JOHN W. PEMBERTON,  
Clerk.

#### BILLS ON THIRD READING RESUMED

The Bill:

S. 79. To abolish the Alabama Water Improvement Commission; to provide for the control of water pollution within the State of Alabama; to create and establish a Water Pollution Control Board; to prescribe the jurisdiction, powers, duties and functions of the Water Pollution Control Board; to provide for a chief administrative officer of the Board; to provide for the enforcement of the Act and orders, rules

and regulations adopted by the Water Pollution Control Board; to prescribe penalties and make appropriations; to provide procedures whereby individuals may institute suits for violations of any provision of this Act; and to provide an orderly transfer of all matters, personnel, records, functions, powers and unexpended funds from the Water Improvement Commission to the Water Pollution Control Board.

was taken up.

The Standing Committee on Conservation reported the following substitute for the Bill, S. B. 79, to-wit:

#### COMMITTEE SUBSTITUTE FOR S. B. 79

##### A BILL TO BE ENTITLED AN ACT

To abolish the Alabama Water Improvement Commission; to provide for the control of water pollution within the State of Alabama; to create and establish a Water Quality Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Water Quality Control Commission; to provide for a chief administrative officer of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Water Quality Control Commission; to prescribe penalties and make appropriations; to provide procedures whereby the Water Quality Control Commission and the Attorney General may institute suits for violations of any provision of this Act; to provide an orderly transfer of all matters, personnel, records, functions, powers, and unexpended funds from the Water Improvement Commission to the Water Quality Control Commission; and to repeal Act No. 574 of the Regular Session of 1965.

##### Be It Enacted by the Legislature of Alabama:

Section 1. Statement of Policy and Purpose—Whereas the pollution of the waters of this State constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish and aquatic life, and impairs domestic, agricultural, industrial, recreational and other legitimate beneficial uses of water, it is hereby declared to be the public policy of this State and the purpose of this Act to conserve the waters of the State and to protect, maintain and improve the quality thereof for public water supplies for the propagation of wildlife, fish and aquatic life, and for domestic, agricultural, industrial, recreational and other legitimate beneficial uses; to provide for the prevention, abatement and control of new or existing water pollution; and to cooperate with other agencies of the State, agencies of other states and the federal government in carrying out these objectives.

Section 2. The Alabama Water Improvement Commission is hereby abolished and there is hereby created, as provided for hereinafter, the Water Quality Control Commission.

Section 3. For the purposes of this Act, the following words and phrases shall have the meanings ascribed to them in this section:

(a) "Pollution" means such contamination, or other alteration of the physical, chemical or biological properties, of any waters of the State, including, but not limited to, any violation of water quality standards, change in temperature, taste, color, turbidity, or odor of the waters, by the discharge of any sewage, industrial wastes, or other wastes, or of any liquid, gaseous, solid, or other substance into any waters of the State as will or is likely to create a nuisance or render

such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

(b) "Commission" means the Water Quality Control Commission.

(c) "Member" means a member of said Commission.

(d) "Waters" means all waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the State.

(e) "Sewage" means water-carried human wastes from residences, buildings, industrial establishments or other places including, but not limited to, any vessels, or other conveyances traveling or using the waters of this State, together with such ground, surface, storm or other waters as may be present.

(f) "Industrial Wastes" means liquid or other wastes resulting from any process of industry, manufacture, trade or business or from the development of natural resources.

(g) "Other Wastes" means all other substances, whether liquid, gaseous or solid, from all other sources including, but not limited to, any vessels, or other conveyances traveling or using the waters of this State, except industrial wastes or sewage, which may cause pollution of any waters of the State.

(h) "Person" means any and all persons, natural or artificial, including any individual, firm or association and any municipal, public, or private corporation organized or existing under the laws of this or any other state or county.

Section 4. (a) There is hereby created and established a Water Quality Control Commission of the State of Alabama, hereinafter referred to as the "Commission" which shall be composed of seven (7) members. One of its members shall be the State Health Officer. Two (2) of its members shall be representative of the public, and shall be appointed by the Governor, with the advice and consent of the Senate. Two (2) of its members shall be representative of wildlife conservation, and shall be appointed by the Governor, with the advice and consent of the Senate. Two (2) of its members shall be representative of industry or manufacturing and shall be appointed by the Governor, with the advice and consent of the Senate, as follows: Both shall be individuals actively engaged in a management position in industry or manufacturing for at least five (5) years immediately prior to appointment by the Governor. All of the members appointed by the Governor shall have been residents of the State of Alabama for not less than two years prior to their respective appointments.

No member other than the representatives of industry or manufacturing shall be an officer, employee or stockholder owning ten percent or more of the voting stock of any corporation or organization depositing or dumping waste or sewage into the waters of this State, nor be an employee of a municipality depositing or dumping waste or sewage into the waters of this State, even though said depositing or dumping is under a permit issued by the Commission.

(b) The term of each member representative of the public and appointed by the Governor shall be four (4) years or until a successor is duly appointed and qualified, except that the terms of those first appointed shall expire at the end of two and four years, respectively, as designated by the Governor at the time of the appointment. The term of each member representative of wildlife conservation and ap-

pointed by the Governor shall be four (4) years or until a successor is duly appointed and qualified, except that the terms of those first appointed shall expire at the end of two and four years, respectively, as designated by the Governor at the time of the appointment. The State Health Officer, shall hold office as a member of such Commission so long as he holds office as State Health Officer and until the appointment and qualification of his successor as State Health Officer. The term of each member representative of industry or manufacturing shall be four (4) years or until a successor is duly appointed and qualified, except that the terms of those first appointed shall expire at the end of two and four years, respectively, as designated by the Governor at the time of the appointment. There shall be no limitation on the number of terms any appointed member may serve.

duly appointed and qualified, except that the terms of those first appointed shall expire at the end of two and four years, respectively, as designated by the Governor at the time of the appointment. There shall be no limitation on the number of terms any appointed member may serve.

(c) Upon the death, resignation, removal or expiration of term of any voting member of the Commission, the Governor shall fill such vacancy as provided for above.

(d) No salary or compensation shall be allowed any member of the Commission for services thereon; however, this shall not be construed to affect in any way the regular compensation of members who are also government employees, their services on the Commission being considered a part of their regular and official duties. Actual and necessary travel subsistence, and other expenses incurred by the members in the discharge of their official duties as members of the Commission and by direction or request of the Commission, shall be paid as provided by law from any funds which are or may become available to the Commission for the purposes of this Act.

(e) The State Health Officer shall serve as chairman of the Commission. The members of the Commission shall annually select one of themselves to serve as vice-chairman. In the absence or disability of the chairman, the vice-chairman shall assume the duties and functions of the chairman. The Commission shall meet regularly once in each calendar quarter each year at the State Capitol in Montgomery, Alabama, and special meetings may be held at any time or place upon the call of the chairman or upon the written request therefor addressed to the chairman and signed by any three or more members of the Commission. Written notice of the time and place of each special meeting shall be delivered to the office of each member of the Commission and the chief administrative officer at least five days in advance of such meetings. Four members shall constitute a quorum for the transaction of Commission business. There shall be no executive or closed meetings of the Commission, and a complete and accurate record of its proceedings shall be kept on file in the office of the chief administrative officer, as hereinafter provided for, open to public inspection. The Chairman of the Commission may, at his discretion, order the proceedings to be recorded verbatim.

(f) The State Department of Public Health shall be the administrative and disbursing agent for the Commission within the limits of appropriations and funds, which are or which may become available from any source for this purpose. The Director of the Bureau of Environmental Health of the State Department of Public Health shall be the Technical Secretary to the Commission and in addition to such other duties assigned to him by the Commission, he shall coordinate activities of the Bureau he directs with those of the Commission.

(g) The Chairman shall appoint, in accordance with the merit system law of this State, a chief administrative officer who shall be a person fully trained and experienced in water pollution control. The chief administrative officer shall exercise administrative supervision of water quality control programs adopted by the Commission and, in the interim between meetings of the Commission, shall have authority to perform in the name of the Commission all functions and duties delegated to him by the Commission. The Commission may, acting through its chief administrative officer, employ, compensate, and prescribe the powers and duties of such officers, employees, and consultants, in accordance with Merit System and other laws of this State, as may be necessary to carry out the provisions of this Act. The Commission may delegate any of the powers and duties vested in it by this Act to the chief administrative officer except: the adoption and promulgation of standards, rules and regulations; and revocation of permits; and the issuance, modification, or revocation of orders except in cases of emergency. The Commission may appoint hearing officers as may be necessary or desirable in the administration of its duties and responsibilities.

(h) The Attorney General shall be the attorney for the Commission and shall provide such assistance as the Commission shall reasonably request; provided that this shall in no way affect the right and duty of the Attorney General to act independently of the Commission to enforce the provisions of this Act as provided hereinafter.

(i) In order to make available to the Commission the services of an advisory body on such technical matters as the Commission shall require, there is hereby created the Technical Advisory Committee to the Commission which shall consist of the Commissioner of Agriculture and Industries, the Director of Conservation, the Director of Alabama Development Office, and the State Geologist, each of whom shall be members of said Advisory Committee throughout his respective term and until the appointment of his successor. The Technical Advisory Committee shall meet on call of the Chairman of the Commission, and shall advise the Chairman and the Commission on any technical matters referred to it by the Chairman of the Commission. From time to time as circumstances may require a member of the Technical Advisory Committee may designate a representative of his department or agency to perform the duties of the member making the designation. Such person, if any, designated pursuant to this subsection, shall have the powers and be subject to the duties and responsibilities of the officer appointing him. The staffs and departments of the members of the Technical Advisory Committees supporting them in their official capacity are hereby authorized and directed to render whatever assistance is necessary to further the duties of said Advisory Committee or to accomplish the purposes of this Act.

(j) Funds which are or may become available from any source, appropriations or otherwise, to accomplish the purposes of this Act, shall be disbursed by the Commission or by its chief administrative officer in accordance with rules prescribed by the Commission.

Section 5. It shall be the duty of the Commission to prevent and control pollution in the waters of the State and it shall specifically have the following powers:

(a) To study and investigate all problems concerned with the improvement and conservation of the waters of the State. To conduct independently and in cooperation with others, studies, investigation, research, and to prepare, or in cooperation with others prepare, a program or programs, any or all of which shall pertain to the purity and conservation of the waters of the State of Alabama or to the treatment

and disposal of sewage, industrial wastes, or other wastes which may be the causes of pollution, which studies, investigations, research and program or programs shall be intended to result in the reduction of pollution of the waters of the State of Alabama according to the conditions and particular circumstances existing in the various communities throughout the State of Alabama; to propose remedial measures insofar as practical means are available for abatement of such pollution. To this end the Commission may cooperate with any public agency, including federal agencies, or with any private agency in the conduct of such experiments, investigations and research, and may receive in behalf of the State of Alabama, any moneys which any such agency may contribute as its share of the cost under any cooperative arrangement. Provided that such moneys shall be used only for the purposes for which they are contributed, and any unexpended balance remaining after the conclusion of the experiments, investigation and research or other uses for which such moneys were granted or donated, shall remain to the credit of the Water Quality Control fund unless the terms of such grant, gift, or donation specifically require the return of any unexpended balance.

(b) It shall be the duty of the Commission to conduct surveys with respect to the pollution of any streams in the state either navigable or not navigable and to establish criteria standards for recognized limits of pollution taking into account the purpose of this Act; and, independently or in cooperation with other agencies, both public and private, to promote, through education and demonstration, water conservation and the abatement of stream pollution.

(c) The Commission may require any person discharging, or applying to discharge, pollution into the waters of this State to establish and maintain such records; make such reports; install, use and maintain such monitoring equipment or methods; sample pollution in accordance with such methods, at such locations, intervals and procedures as the Commission shall prescribe; and provide such other information as the Commission reasonably may require. Any records, reports or information obtained under this Act shall be available to the public, except that upon a showing satisfactory to the Commission by any person that records, reports, or information, or particular part thereof, (other than effluent data) to which the Commission has access under this Act, if made public, would divulge production or sales figures or methods, processes or production unique to such person, or would otherwise tend to affect adversely the competitive position of such person by revealing trade secrets, the Commission shall consider such record, report, or information or particular portion thereof confidential in the administration of this Act. Nothing herein shall be construed to prevent disclosure of such report, record or information to Federal or State representatives as necessary for purposes of administration of any Federal or States water quality control laws, or when relevant in any proceeding under this Act. The fees of witnesses for attendance and travel shall be the same as fees of witnesses before the courts of record and shall be paid from the appropriation for the expenses of the Commission. Any judge of a court of record, either in term time or vacation, upon application of the chairman or vice-chairman of the Commission shall compel the attendance of witnesses, the production of books and papers, and the giving of testimony before the Commission or any agent thereof by attachment, or contempt or otherwise in the same manner as the production of evidence shall be compelled before said court. The chief administrative officer shall require the attendance of employees who are needed as witnesses without subpoena. Any member of the Commission or its employees or agents may enter any property, or any industrial or other establishment at any reasonable time for the purpose of collecting such information and no owner or official in charge

shall refuse to admit such member, employee or agent for all purposes necessary to the discharge of his official duty.

(d) It shall be the duty of the Commission to render a formal report biennially to the governor and each succeeding legislature in regular session assembled, of its activities and progress, and it must include any recommendations for amendment to this Act.

(e) It shall be the further duty of the Commission to extend its cooperation and to advise with industries and municipalities relative to the control of waste and other deleterious matter of pollutive nature and to make available to industries and municipalities the benefits of its studies and findings.

(f) It shall be the duty of the Commission to exercise general supervision over the administration and enforcement of all laws relating to pollution of the waters of the State. Whenever the Commission determines that any person is violating or is about to violate any of the provisions of this Act or any rule or regulation or order of the Commission promulgated thereunder, the Commission may notify such person of such determination of the Commission. The notice may be served by registered mail or by an officer empowered to serve process under existing laws or by an officer or agent of the Commission. Within such time as may be specified in such notice, such person shall file with the Commission a full report, showing steps that have been taken and are being taken to control such discharge or pollution. Thereupon, the Commission may make such orders as in its opinion are deemed reasonable.

(g) It shall be the duty of the Commission, after notice as hereinafter provided and after consideration of the purpose of this Act, to establish such standards of quality for any waters in relation to their reasonable and necessary use as shall be in the public interest, recognizing that because of variable factors and varied use of waters, no single standard of treatment and no single standard of quality are practical, and that the degree of treatment of sewage and industrial waste must take into account the present and future uses, and such general policies relating to existing or proposed future pollution as it shall deem necessary to accomplish the purposes of this Act, and to modify, amend or cancel the same. Any provision of law to the contrary notwithstanding, the quality of pollution existing in an effluent at any time shall be subject to the control of the Commission if it creates a health hazard. Prior to establishing standards as herein provided, the Commission shall cause to be published in a newspaper published in and of general circulation in each county within which any such waters, wholly or partially, are located, a notice in substantially the following form:

#### NOTICE OF WATER QUALITY CONTROL COMMISSION

Notice is hereby given that a hearing before the Water Quality Control Commission of the State of Alabama will be held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ for the purpose of hearing testimony regarding establishing standards of quality in those certain waters in the county or counties of \_\_\_\_\_ Alabama, described as follows \_\_\_\_\_ (Describe Waters) \_\_\_\_\_. Anyone desiring to be heard may appear at said hearing.

Water Quality Control Commission

By: \_\_\_\_\_  
Chief Administrative Officer

Such notice shall be published once a week for three consecutive weeks prior to the holding of any hearing of the Commission for consideration of such standards; provided, however, in any county where no such newspaper is available for publishing said notice, the prescribed notice shall be posted at the county courthouse of said county for a period of three weeks prior to holding of any such hearing of the Commission. Any hearing required by this subsection may be conducted by a hearing officer appointed by the Commission.

(h) It shall be the duty of the Commission to receive and examine applications, plans, specifications and other data and to issue permits for the discharge of sewage, industrial waste and other waste into the waters of the state, stipulating in each permit the conditions under which such discharge may be permitted.

(i) It shall be the duty of the Commission, and it shall have the authority to adopt rules and regulations to carry out the provisions of this Act and to accomplish the purpose of this Act.

(j) (1) It shall be the duty of the Commission to issue, modify or revoke orders (a) prohibiting or abating discharges of sewage, industrial wastes or other wastes into the waters of the State; and (b) requiring the construction of new disposal systems or any parts thereof or the modification, extension or alteration of existing disposal systems or any parts thereof, or the adoption of other remedial measures to prevent, control or abate pollution.

(2) It shall be the duty of the Commission to issue, continue in effect, revoke, modify or deny, under such conditions as it may prescribe, to prevent, control, or abate pollution, permits for the discharge of sewage, industrial wastes or other wastes into the waters of the State and for the installation, modification or operation of disposal systems or any parts thereof.

(3) Every person who, prior to the effective date of this Act, is discharging any sewage, industrial wastes or other wastes into any waters of this State under a permit of the then existing Water Improvement Commission may continue to do so under said permit unless and until the Commission modifies or alters the terms of the permit.

(4) Every person who, prior to the effective date of this Act, is proceeding to comply with a plan toward control of the pollution for which the plan was developed under a permit of the then existing Water Improvement Commission must do so within the time limit specified by said plan and/or permit.

(5) Every person, who, prior to the effective date of this Act, is discharging any pollution into any waters of this State without a permit covering such discharge shall, in accordance with the terms of this Act, apply in writing, within 30 days of the effective date of this Act, for a permit and obtain a permit as a condition of continuing such discharge. Said permit shall be granted upon the submission to and approval by the Commission of a plan to control such discharge within two years from date of application.

(6) Every person who, subsequent to the effective date of this Act, wishes to begin discharging any new or increased pollution into any waters of this State shall apply to the Commission in writing for a permit and must obtain such permit before discharging such pollution.

(7) Any and all pollution is hereby declared to be a public nuisance and shall be subject to immediate control of the Commission by order or injunction if it creates, or is about to create, a health hazard. Any order issued under this paragraph shall be deemed to be final and conclusive for the purposes of this Act.



(k) The Commission may enter into agreement with the responsible authorities of the federal government and of other states, subject to the approval of the governor, relative to policies, methods, means and procedures to be employed to control pollution of any interstate waters and to carry out such agreements by procedures provided for in this Act. This power shall not be deemed to extend to the modification of any agreement with any other state concluded by direct legislative act, but unless otherwise expressly provided, the Commission shall be the agency for the administration and enforcement of any such legislative agreement.

(l) Whenever the Commission has cause to believe that any person is violating any rule or regulation promulgated by the Commission, the Commission shall cause a prompt investigation to be made in connection therewith. If upon inspection the Commission discovers a condition which is in violation of the provisions of this Act or any rule or regulation promulgated pursuant thereto, it shall be authorized to order such violation to cease and to take such steps necessary to enforce such an order. The said order shall state the items which are in violation and shall provide a reasonable specified time within which the violation must cease. The person responsible shall make the corrections necessary to comply with the requirements of this Act or rule or regulation promulgated pursuant thereto within the time specified in the order. Nothing herein shall be deemed to prevent the Commission or the Attorney General from prosecuting any violation of this Act or any rule or regulation promulgated pursuant thereto notwithstanding that such violation is corrected in accordance with any order.

(m) Any person aggrieved by an order of the Commission under this Act may, upon application made within 15 days after notice thereof, be entitled to a hearing before the Commission which shall within 30 days thereafter hold a hearing of which at least 15 days written notice shall be given to such persons. Within 30 days after such hearing the Commission shall issue an appropriate order modifying, approving, or disapproving its order. A copy of such order shall be served upon all interested parties. Pending the determination by the Commission and upon application therefor the Commission may stay the operation of such order upon such terms and conditions as it may deem proper. The testimony taken at any hearing shall be under oath and recorded stenographically, but the parties shall not be bound by the strict rules of evidence prevailing in the courts of law and equity. True copies of any transcript and of any other record made of or at such hearing shall be furnished to any party thereto upon request and at his expense. Any hearing required by this Act to be held before the Commission shall be held before a hearing officer designated by the Chairman who shall have power to subpoena witnesses and compel their attendance, administer oaths and require the production for examination of any books or papers relating to any matter under investigation in any such hearing. The Commission, at the request of any interested person, may subpoena and compel the attendance of such witnesses as such person may designate and require the production for examination of any books or papers relating to any matter under investigation in any such hearing.

(n) Any duly designated employee of the Commission may administer oath to witnesses and may conduct hearings or investigations and any such duly designated employee of the Commission may sign and issue subpoenas requiring persons to appear before him or the Commission and the Commission, through its designated officers, shall have the power to serve said subpoenas upon any such person by sending a copy of such subpoena through the United States mail, postage prepaid, which said mail shall be registered with return re-

ceipt attached and such service shall be complete when said registered mail shall be delivered to said person and such receipt returned to the Commission or its designated employee, signed by the person sought to be subpoenaed. Obedience to a subpoena issued by the Commission or any person authorized and designated by the Commission to issue said subpoena may be enforced by application to any judge of the Circuit Court of the county in which said subpoena was issued or to the judge of any Circuit Court in which such person subpoenaed resides in the same manner as is provided by law for the grand jury of a county to enforce its subpoenas and with the same penalty as provided therefor for the failure of any person failing or refusing to comply with such subpoena.

(o) Any person who violates any provision of this Act, or any rule or regulation adopted by the Commission, or any order which has been issued by the Commission as provided for in this section, or who discharges sewage, industrial wastes, or other wastes into the waters of Alabama without a permit as required by this Act shall be liable to a penalty of not less than \$100.00 nor more than \$10,000.00 for said violation which may be recovered in a civil action in the Circuit Court. Each and every day during which such violation continues shall constitute a separate violation for purposes of this subsection. It shall be the duty of the Commission and the Attorney General to commence such actions to recover said penalties. The issuance of an order shall not be a condition precedent to the commencement of any action under this section; however, where an order has been issued, the alleged violator shall be afforded an opportunity to be heard upon said order as provided herein before any action is commenced hereunder.

(p) The Commission or the Attorney General may commence a civil action for damages for pollution of the waters of the State including, but not limited to, any reasonable costs to prevent, minimize or clean up any damage resulting from pollution, resulting from the wrongful act, omission or negligence of a person. Such suits may be filed in the name of the State by the Commission or the Attorney General in the county or counties where pollution occurs or in which the defendant resides or does business. Both punitive and compensatory damages may be recovered in a case where pollution resulted from willful or wanton conduct on the part of the defendant; compensatory damages alone may be awarded when the pollution is caused by a negligent act or omission. Should a verdict for damages be obtained in any such action, the court shall also assess and tax as costs against the defendant all reasonable costs incurred by the particular department or agency which investigated the pollution in such action. Such costs, as testified to by sworn affidavit, shall be paid over by the court to that department or agency which performed the investigation.

(q) Any person who violates any of the provisions of, or fails to perform any duty imposed by, this Act, or regulation issued hereunder, or who violates any order or determination of the Board promulgated pursuant to this Act, and causes the death of fish or other wildlife shall, in addition to the penalties and remedies provided in subsections (o) and (p), be liable to pay to the State an additional amount equal to the sum of money reasonably necessary to restock such waters or replenish such wildlife as determined by the Commission after consultation with the Game and Fish Division or the Seafoods Division of the Department of Conservation, or any other governmental agency. Such sums as may thus be recovered, including punitive damages, if any, shall be credited, regardless of who instituted such action, to the Game and Fish and/or Seafood Fund as the Director of Conservation may determine. If the pollution has caused damage to fish and/or other wildlife in excess of \$5,000.00, as determined by the Alabama Depart-

ment of Conservation or any other governmental agency, and testified to by sworn affidavit, the damage shall be presumed to have been the direct and proximate result of negligence of the person shown to be responsible for such pollution and the burden shall then be upon such person to prove freedom of negligence in causing the pollution in such cases.

(r) Nothing contained or authorized in this Act, and no suit by the Commission or the Attorney General, as provided for hereinabove, shall be construed to impair or abridge or abrogate any cause of action which any person or class of persons may have by any other statutory or case law for the alleviation, abatement, control or prevention of pollution or for the restitution for damages resulting therefrom. Nor shall any provision of this Act be construed so as to create a new cause or causes of action with reference to this subsection.

(s) The Commission or the Attorney General may bring suit to enjoin any actual or threatened violation of any provision of this Act or violation of any rule, regulation or order made hereunder, or to control a health hazard resulting from pollution.

Section 6. The Commission is authorized to accept and use such funds, facilities or personnel as may be or may become available for the purposes of this Act, either directly to the Commission or in any of the State Departments or from federal or other agencies represented; but nothing herein shall be construed to limit, modify, or supersede any of the powers or duties of said cooperating departments or agencies unless in direct conflict with this Act, nor to interfere with the power of each such department or agency to determine the disposition of funds specifically appropriated to it and to select, employ and control all of its employees regardless of the fact that said employees may be assigned and devoting the whole or a part of their time to work under the direction of the Commission. There is hereby created and there shall be a fund which shall be known as the Water Quality Control fund. This fund shall consist of: (a) All moneys appropriated to the Commission by the State Legislature of Alabama; (b) All moneys received by the Commission by appropriation from county or municipal governments; (c) All gifts, grants, bequests or donations from individuals, associations, corporations, or industries; (d) All moneys received through any source of federal aid; and (e) All moneys accruing to the Commission from any source whatsoever. The fund shall be used and expended by the Commission or its chief administrative officer, subject to any terms prescribed by the Commission, in accordance with the terms of the gift, grant, bequest, appropriation or donation from which said moneys are derived, and in the absence of any such terms or stipulations shall be expended by the Commission in furtherance of any of the provisions of this Act. All necessary expenses of the Commission shall likewise be paid out of said fund on the requisition of the Commission or its chief administrative officer, as above, as may be deemed advisable.

Section 7. All of the matters pending before the Water Improvement Commission upon the effective date of this Act shall be transferred to the jurisdiction of the new Commission, and all actions heretofore exercised by the Water Improvement Advisory Commission or Water Improvement Commission, as the case may be, shall be considered in all respects as having been acts of the Commission and shall remain in full force and effect until amended or rescinded by the Commission. All personnel who are in the employ of the Water Improvement Commission upon the effective date of this Act shall become the employees of the Commission. All funds allocated to or in possession of the Water Improvement Commission shall be transferred to the Commission upon

the effective date of this Act, and the same is hereby appropriated for any lawful expenditures authorized by this Act. All books, records, equipment, facilities, notes and accounts receivable and all other property of every kind whatsoever of the Water Improvement Commission upon the effective date of this Act shall be transferred to vest in and become the property of the Commission, and all contracts, leases, debts, obligations and liabilities of every kind whatsoever of the Water Improvement Commission upon the effective date of this Act shall be transferred to, inure to the benefit of and be binding upon the Commission, it being the intent of this Act that the Water Quality Control Commission supersede and replace, but continue all business and affairs of, the Water Improvement Commission.

Section 8. The Commission is hereby designated the State Water Pollution Control Agency for this State for all purposes of the Federal Water Pollution Control Act, as amended (33 USC 466) and is hereby authorized to take all actions necessary and appropriate to secure to this State the benefits of said Federal Act.

Section 9. This Act is intended to supplement existing law, and no part hereof shall be construed to repeal any existing laws specifically enacted for the protection of health or the control of radiation; however, Act No. 574, Regular Session of 1965 Legislature, is hereby expressly repealed.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective 60 days after its passage and approval by the Governor or upon its otherwise becoming a law.

Mr. Owen offered the following amendment to the substitute for the Bill, S. B. 79, to-wit:

#### AMENDMENT TO SUBSTITUTE FOR S. B. 79

Section 9 of Senate Bill 79 is hereby amended to include the following immediately after the last sentence as it is now structured.

All remedies for the prevention and abatement of water pollution given to the Attorney General through the authority of this Act are merely cumulative. Nothing in this Act shall be interpreted as negating or destroying any common law or statutory right, duty, power, or authority of the Attorney General of Alabama.

Which was adopted.

And said substitute, as thus amended, for the Bill, S. B. 79, was then adopted by the Senate.

Yeas 23; Nays 7.

Yeas:

Messrs.:	Givhan	Lindsey	O'Bannon
Branyon	Hammond	Littleton	Owen
Cooper	Harris	Lybrand	Register
Dozier	Horne	McLain	Vacca
Edington	Jones	Malone	Wilder
Foshee	King	Noonan	Wilson

*Nays:*

Messrs.:  
Bailes

Carr  
Cook

Dominick  
Fine

Hawkins  
Pierce

—7

Mr. Carr offered the following substitute for the Bill, S. B. 79, as amended by the Committee substitute, to-wit:

SUBSTITUTE FOR S. B. 79

A BILL  
TO BE ENTITLED  
AN ACT

To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 574, Regular Session, 1965, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Statement of Policy and Purpose—Whereas the pollution of the waters of this State constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish and aquatic life, and impairs domestic, agricultural, industrial, recreational and other legitimate beneficial uses of water, it is hereby declared to be the public policy of this State and the purpose of this Act to conserve the waters of the state and to protect, maintain and improve the quality thereof for public water supplies for the propagation of wildlife, fish and aquatic life, and for domestic, agricultural, industrial, recreational and other legitimate beneficial uses; to provide for the prevention, abatement and control of new or existing water pollution; and to co-operate with other agencies of the State, agencies of other states and the federal government in carrying out these objectives.

Section 2. Definitions. When used in this Act the terms defined shall have the meanings here ascribed to them unless it clearly appears from the context that some other meaning is indicated.

“Commission” means the Water Improvement Commission; and “member” means a member of said Commission.

“Waters” means all waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the state.

“Pollution” means such contamination, or other alteration of the physical, chemical or biological properties, of any waters of the State, including, but not limited to, any violation of water quality standards, change in temperature, taste, color, turbidity, or odor of the waters, by the discharge of any sewage, industrial wastes, or other wastes, or of any liquid, gaseous, solid, or other substance into any waters of the State as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

“Sewage” means water-carried human wastes from residences, buildings, industrial establishments or other places including, but not limited to, any vessels, or other conveyances traveling or using the

waters of this State, together with such ground, surface, storm or other waters as may be present.

"Industrial Wastes" means liquid or other wastes resulting from any process of industry, manufacture, trade or business or from the development of natural resources.

"Other Wastes" means all other substances, whether liquid, gaseous or solid, from all other sources including, but not limited to, any vessels, or other conveyances traveling or using the waters of this State, except industrial wastes or sewage, which may cause pollution of any waters of the State.

"Person" means any and all persons, natural or artificial, including any individual, firm or association and any municipal, public, or private corporation organized or existing under the laws of this or any other state or county.

Section 3. Commission created; members, compensation and expenses; meetings; administrative and disbursing agent.

(a) There is hereby created a Water Improvement Commission consisting of seven members as follows: The State Health Officer, who shall be the Chairman of the Commission, the Director of the Department of Conservation, who shall be the Vice Chairman and shall act in the place of the Chairman in his absence; and five members who shall be representatives of the public at large, their terms and appointments as hereinafter described.

(b) The Chairman and Vice Chairman shall be non-voting members, except the Chairman shall vote in the case of a tie and shall hold office as such throughout their respective terms and until the appointments and qualifications of their successors as such.

The five public at large members shall be voting members and shall be appointed by the Governor, provided however, that the initial Commission members must be appointed on or before October 1, 1971, said appointments to be made with the advice and consent of the Senate, as follows;

(i) One member shall be a physician licensed by the State of Alabama qualified in water-borne diseases.

(ii) One member shall be a registered professional engineer qualified in the fields of water resource management and water supply.

(iii) One member shall be an attorney admitted to practice in the State of Alabama who is qualified in the fields of water supply and riparian rights.

(iv) Two members who shall have been residents of the State of Alabama for two years but who shall not be required to have any specialized experience.

(c) No person shall be eligible to serve as a member of the Commission who is an officer, employee or agent, or who is a stockholder owning 7.5 per cent or more of the voting stock of any corporation or organization holding a permit from the Commission for the discharge of waste or sewage into the waters of this state, or who is an officer, employee, or agent of any trade association which represents a corporation or organization holding a permit from the commission for the discharge of waste or sewage into the waters of this state, or who is an employee of any municipality depositing or dumping waste or sewage into the waters of this state. One of the five members appointed

by the Governor shall serve for a term of four years, two for a term of three years, two for a term of two years and one for a term of one year, and the Governor shall designate at the time of making such appointments the length of the term each member shall serve. At the expiration of the terms of all members initially appointed, their successors shall be appointed by the Governor for terms of four years and shall be selected in the same manner as the first members. If a vacancy occurs in the appointed membership, and upon certification thereof by the Commission, the Governor shall fill such vacancy for the unexpired term in accordance with the procedure prescribed herein. When a Commission member is appointed during a period when the Legislature is not in session to advise and consent, such appointee shall have the full power of the office until and unless the Senate, upon the reconvening of the Legislature, shall, by affirmative vote, refuse to consent in such appointment."

(d) The five public at large members shall be compensated in the amount of \$50 per official meeting but not to exceed \$50 per day nor more than one thousand dollars per annum, plus expenses provided hereinafter. The Chairman and Vice Chairman are to receive no compensation, however, this shall not be construed to affect in any way their regular compensation; their services on the Commission being considered a part of their regular and official duties. Actual and necessary travel, subsistence, and other expenses incurred by members in the discharge of their official duties as members of the Commission and by direction or request of the Commission, shall be paid at the rate allowed other State employees as provided by law from funds which are or may become available for the purpose of this act.

(e) The Commission shall meet regularly, at least one meeting every 60 days, and such additional meetings as may be prescribed by Commission rules, or by the call of the Chairman, or by any four Commission members, upon delivery of written notice to each member 72 hours prior to the meeting. All Commission meetings shall be open to the public, and public notice shall be given at least twenty-four hours in advance of each meeting. In an emergency, the requirement for 72 hours advance notice and the public notice may be dispensed with, and Commission members and the public shall receive such notice as is reasonable under the circumstances.

(f) Four members of the Commission shall constitute a quorum, and the Commission shall keep a complete and accurate record of all its meetings, a copy of which shall be kept on file in the office of the Chairman and open to public inspection.

(g) The State Department of Public Health shall be the administrative and disbursing agent for the Commission within the limits of appropriations and funds, which are or which may become available from any source for this purpose. The Director of the Bureau of Environmental Health of the State Department of Public Health shall be the Technical Secretary to the Commission and in addition to such other duties assigned to him by the Commission, he shall coordinate activities of the Bureau he directs with those of the Commission.

(h) The Chairman shall appoint, in accordance with the merit system law of this State, a chief administrative officer who shall be a person fully trained and experienced in water pollution control. The chief administrative officer shall exercise administrative supervision of water quality control programs adopted by the Commission and, in the interim between meetings of the Commission, shall have authority to perform in the name of the Commission all functions and duties delegated to him by the Commission. The Commission may,

acting through its chief administrative officer, employ, compensate, and prescribe the powers and duties of such officers, employees, and consultants, in accordance with Merit System and other laws of this State, as may be necessary to carry out the provisions of this Act. The Commission may delegate any of the powers and duties vested in it by this Act to the chief administrative officer except: the adoption and promulgation of standards, rules and regulations; and revocation of permits; and the issuance, modification, or revocation of orders except in cases of emergency. The Commission may appoint hearing officers as may be necessary or desirable in the administration of its duties and responsibilities.

(i) The Attorney General shall be the attorney for the Commission and shall provide such assistance as the Commission shall reasonably request; provided that this shall in no way affect the right and duty of the Attorney General to act independently of the Commission to enforce the provisions of this Act as provided hereinafter.

(j) In order to make available to the Commission the services of an advisory body on such technical matters as the Commission shall require, there is hereby created the Technical Advisory Committee to the Commission which shall consist of the Commissioner of Agriculture and Industries, the Director of Conservation, the Director of Alabama Development Office, and the State Geologist, each of whom shall be members of said Advisory Committee throughout his respective term and until the appointment of his successor. The Technical Advisory Committee shall meet on call of the Chairman of the Commission, and shall advise the Chairman and the Commission on any technical matters referred to it by the Chairman of the Commission. From time to time as circumstances may require a member of the Technical Advisory Committee may designate a representative of his department or agency to perform the duties of the member making the designation. Such person, if any, designated pursuant to this subsection, shall have the powers and be subject to the duties and responsibilities of the officer appointing him. The staffs and departments of the members of the Technical Advisory Committees supporting them in their official capacity are hereby authorized and directed to render whatever assistance is necessary to further the duties of said Advisory Committee or to accomplish the purposes of this Act.

(k) Funds which are or may become available from any source, appropriations or otherwise, to accomplish the purposes of this Act, shall be disbursed by the Commission or by its chief administrative officer in accordance with rules prescribed by the Commission.

Section 4. Powers and duties of Commission; review and enforcement of orders. It shall be the duty of the Commission to control pollution in the waters of the State and it shall specifically have the following powers:

(a) To study and investigate all problems concerned with the improvement and conservation of the waters of the state. To conduct independently and in cooperation with others, studies, investigation, research, and to prepare, or in cooperation with others prepare, a program or programs, any or all of which shall pertain to the purity and conservation of the waters of the State of Alabama or to the treatment and disposal of sewage, industrial wastes, or other wastes which may be the causes of pollution, which studies, investigations, research and program or programs shall be intended to result in the reduction of pollution of the waters of the State of Alabama according to the conditions and particular circumstances existing in the various communities throughout the State of Alabama; to propose remedial measures



insofar as practical means are available for abatement of such pollution. To this end the Commission may cooperate with any public agency, including Federal agencies, or with any private agency in the conduct of such experiments, investigations and research, and may receive in behalf of the State of Alabama, any moneys which any such agency may contribute as its share of the cost under any such cooperative arrangement. Provided that such moneys shall be used only for the purposes for which they are contributed, and any unexpended balance remaining after the conclusion of the experiments, investigation and research, or other uses for which such moneys were granted or donated, shall remain to the credit of the Water Improvement Commission Fund unless the terms of such grant, gift, or donation specifically require the return of any unexpended balance.

(b) It shall be the duty of the Commission to conduct surveys with respect to the pollution of any streams in the state either navigable or not navigable; to establish criteria standards for recognized limits of pollution; and, independently or in cooperation with other agencies, both public and private, to promote, through education and demonstration, water conservation and the abatement of stream pollution.

(c) The Commission may require any person discharging, or applying to discharge, pollution into the waters of this State to establish and maintain such records; make such reports; install, use and maintain such monitoring equipment or methods; sample pollution in accordance with such methods, at such locations, intervals and procedures as the Commission shall prescribe; and provide such other information as the Commission reasonably may require. Any records, reports or information obtained under this Act shall be available to the public, except that upon a showing satisfactory to the Commission by any person that records, reports, or information, or particular part thereof, (other than effluent data) to which the Commission has access under this Act, if made public, would divulge production or sales figures or methods, processes or production unique to such person, or would otherwise tend to affect adversely the competitive position of such person by revealing trade secrets, the Commission shall consider such record, report, or information or particular portion thereof confidential in the administration of this Act. Nothing herein shall be construed to prevent disclosure of such report, record or information to Federal or State representatives as necessary for purposes of administration of any Federal or States water quality control laws, or when relevant in any proceeding under this Act. The fees of witnesses for attendance and travel shall be the same as fees of witnesses before the courts of record and shall be paid from the appropriation for the expenses of the Commission. Any judge of a court of record, either in term time or vacation, upon application of the chairman or vice-chairman of the Commission shall compel the attendance of witnesses, the production of books and papers, and the giving of testimony before the Commission or any agent thereof by attachment, or contempt or otherwise in the same manner as the production of evidence shall be compelled before said court. The chief administrative officer shall require the attendance of employees who are needed as witnesses without subpoena. Any member of the Commission or its employees or agents may enter any property, or any industrial or other establishment at any reasonable time for the purpose of collecting such information and no owner or official in charge shall refuse to admit such member, employee or agent for all purposes necessary to the discharge of his official duty.

(d) It shall be the duty of the Commission to render a formal report biennially to the governor and each succeeding legislature in regular session assembled, of its activities and progress, and it must include any recommendations for amendment to this Act.

(e) It shall be the further duty of the Commission to extend its cooperation and to advise with industries and municipalities relative to the control of waste and other deleterious matter of pollutive nature and to make available to industries and municipalities the benefits of its studies and findings.

(f) It shall be the duty of the Commission to exercise general supervision over the administration and enforcement of all laws relating to pollution of the waters of the State. Whenever the Commission determines that any person is violating or is about to violate any of the provisions of this Act or any rule or regulation or order of the Commission promulgated thereunder, the Commission may notify such person of such determination of the Commission. The notice may be served by registered mail or by an officer empowered to serve process under existing laws or by an officer or agent of the Commission. Within such time as may be specified in such notice, such person shall file with the Commission a full report, showing steps that have been taken and are being taken to control such discharge or pollution. Thereupon, the Commission may make such orders as in its opinion are deemed reasonable.

(g) It shall be the duty of the Commission, after notice as hereinafter provided and after consideration of the purpose of this Act, to establish such standards of quality for any waters in relation to their reasonable and necessary use as shall be in the public interest, recognizing that because of variable factors and varied use of waters, no single standard of treatment and no single standard of quality are practical, and that the degree of treatment of sewage and industrial waste must take into account the present and future uses, and such general policies relating to existing or proposed future pollution as it shall deem necessary to accomplish the purposes of this Act, and to modify, amend or cancel the same. Any provision of law to the contrary notwithstanding, the quality of pollution existing in an effluent at any time shall be subject to the control of the Commission if it creates a health hazard. Prior to establishing standards as herein provided, the Commission shall cause to be published in a newspaper published in and of general circulation in each county within which any such waters, wholly or partially, are located, a notice in substantially the following form:

#### NOTICE OF WATER IMPROVEMENT COMMISSION

Notice is hereby given that a hearing before the Water Improvement Commission of the State of Alabama will be held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ for the purpose of establishing standards of quality in those certain waters in the county or counties of \_\_\_\_\_ Alabama, described as follows \_\_\_\_\_ (Describe Waters) \_\_\_\_\_. Anyone desiring to be heard may appear at said meeting.

Water Improvement Commission

By: \_\_\_\_\_  
Chief Administrative Officer

Such notice shall be published once a week for three consecutive weeks prior to the holding of any hearing of the Commission for consideration of such standards; provided, however, in any county where no such newspaper is available for publishing said notice, the prescribed notice shall be posted at the county courthouse of said county for a period of three weeks prior to holding of any such hearing of the

Commission. Any hearing required by this subsection may be conducted by a hearing officer appointed by the Commission.

(h) It shall be the duty of the Commission to receive and examine application, plans specifications and other data and to issue permits for the discharge of sewage, industrial waste entering directly or through a municipal or private treatment facility, and other waste into the waters of the state, stipulating in each permit the conditions under which such discharge may be permitted.

(i) It shall be the duty of the Commission, and it shall have the authority to adopt rules and regulations to carry out the provisions of this Act and to accomplish the purpose of this Act.

(j) (1) It shall be the duty of the Commission to issue, modify or revoke orders (a) prohibiting or abating discharges of sewage, industrial wastes or other wastes into the waters of the State; and (b) requiring the construction of new disposal systems or any parts thereof or the modification, extension or alteration of existing disposal systems or any parts thereof, or the adoption of other remedial measures to prevent, control or abate pollution.

(2) It shall be the duty of the Commission to issue, continue in effect, revoke, modify or deny, under such conditions as it may prescribe, to prevent, control, or abate pollution, permits for the discharge of sewage, industrial wastes or other wastes into the waters of the State and for the installation, modification or operation of disposal systems or any parts thereof.

(3) Every person who, prior to the effective date of this Act, is discharging any sewage, industrial wastes or other wastes into any waters of this State under a permit of the then existing Water Improvement Commission may continue to do so under said permit unless and until the Commission modifies or alters the terms of the permit.

(4) Every person who, prior to the effective date of this Act, is proceeding to comply with a plan toward control of the pollution for which the plan was developed under a permit of the then existing Water Improvement Commission must do so within the time limit specified by said plan and/or permit.

(5) Every person, who, prior to the effective date of this Act, is discharging any pollution into any waters of this State without a permit covering such discharge shall, in accordance with the terms of this Act, apply in writing, within 30 days of the effective date of this Act, for a permit and obtain a permit as a condition of continuing such discharge. Said permit shall be granted upon the submission to and approval by the Commission of a plan to control such discharge within two years from date of application.

(6) Every person who, subsequent to the effective date of this Act, wishes to begin discharging any new or increased pollution into any waters of this State shall apply to the Commission in writing for a permit and must obtain such permit before discharging such pollution.

(7) Any and all pollution is hereby declared to be a public nuisance and shall be subject to immediate control of the Commission by order or injunction if it creates, or is about to create, a health hazard. Any order issued under this paragraph shall be deemed to be final and conclusive for the purposes of this Act.

(k) The Commission may enter into agreement with the responsible authorities of the federal government and of other states, subject

to the approval of the governor, relative to policies, methods, means and procedures to be employed to control pollution of any interstate waters and to carry out such agreements by procedures provided for in this Act. This power shall not be deemed to extend to the modification of any agreement with any other state concluded by direct legislative act, but unless otherwise expressly provided, the Commission shall be the agency for the administration and enforcement of any such legislative agreement.

(l) Whenever the Commission has cause to believe that any person is violating any rule or regulation promulgated by the Commission, the Commission shall cause a prompt investigation to be made in connection therewith. If upon inspection the Commission discovers a condition which is in violation of the provisions of this Act or any rule or regulation promulgated pursuant thereto, it shall be authorized to order such violation to cease and to take such steps necessary to enforce such an order. The said order shall state the items which are in violation and shall provide a reasonable specified time within which the violation must cease. The person responsible shall make the corrections necessary to comply with the requirements of this Act or rule or regulation promulgated pursuant thereto within the time specified in the order. Nothing herein shall be deemed to prevent the Commission or the Attorney General from prosecuting any violation of this Act or any rule or regulation promulgated pursuant thereto notwithstanding that such violation is corrected in accordance with any order.

(m) Any person aggrieved by an order of the Commission under this Act may, upon application made within 15 days after notice thereof, be entitled to a hearing before the Commission which shall within 30 days thereafter hold a hearing of which at least 15 days written notice shall be given to such persons. Within 30 days after such hearing the Commission shall issue an appropriate order modifying, approving, or disapproving its order. A copy of such order shall be served upon all interested parties. Pending the determination by the Commission and upon application therefor the Commission may stay the operation of such order upon such terms and conditions as it may deem proper. The testimony taken at any hearing shall be under oath and recorded stenographically, but the parties shall not be bound by the strict rules of evidence prevailing in the courts of law and equity. True copies of any transcript and of any other record made of or at such hearing shall be furnished to any party thereto upon request and at his expense. Any hearing required by this Act to be held before the Commission shall be held before a hearing officer designated by the Chairman who shall have power to subpoena witnesses and compel their attendance, administer oaths and require the production for examination of any books or papers relating to any matter under investigation in any such hearing. The Commission, at the request of any interested person, may subpoena and compel the attendance of such witnesses as such person may designate and require the production for examination of any books or papers relating to any matter under investigation in any such hearing.

(n) Any duly designated employee of the Commission may administer oath to witnesses and may conduct hearings or investigations and any such duly designated employee of the Commission may sign and issue subpoenas requiring persons to appear before him or the Commission and the Commission, through its designated officers, shall have the power to serve said subpoenas upon any such person by sending a copy of such subpoena through the United States mail, postage prepaid, which said mail shall be registered with return receipt attached and such service shall be complete when said registered mail shall be delivered to said person and such receipt returned to the Com-

mission or its designated employee, signed by the person sought to be subpoenaed. Obedience to a subpoena issued by the Commission or any person authorized and designated by the Commission to issue said subpoena may be enforced by application to any judge of the Circuit Court of the county in which said subpoena was issued or to the judge of any Circuit Court in which such person subpoenaed resides in the same manner as is provided by law for the grand jury of a county to enforce its subpoenas and with the same penalty as provided therefor for the failure of any person failing or refusing to comply with such subpoena.

(o) Any person who violates any provision of this Act, or any rule or regulation adopted by the Commission, or any order which has been issued by the Commission as provided for in this section, or who discharges sewage, industrial wastes, or other wastes into the waters of Alabama without a permit as required by this Act shall be liable to a penalty of not less than \$100.00 nor more than \$10,000.00 for said violation which may be recovered in a civil action in the Circuit Court. Each and every day during which such violation continues shall constitute a separate violation for purposes of this subsection. It shall be the duty of the Commission and the Attorney General or any District Attorney to commence such actions to recover said penalties. The issuance of an order shall not be a condition precedent to the commencement of any action under this section; however, where an order has been issued, the alleged violator shall be afforded an opportunity to be heard upon said order as provided herein before any action is commenced hereunder.

(p) The Commission or the Attorney General or any District Attorney may commence a civil action for damages for pollution of the waters of the State including, but not limited to, any reasonable costs to prevent, minimize or clean up any damage resulting from pollution, resulting from the wrongful act, omission or negligence of a person. Such suits may be filed in the name of the State by the Commission or the Attorney General in the county or counties where pollution occurs or in which the defendant resides or does business. Both punitive and compensatory damages may be recovered in a case where pollution resulted from willful or wanton conduct on the part of the defendant; compensatory damages along may be awarded when the pollution is caused by a negligent act or omission. Should a verdict for damages be obtained in any such action, the court shall also assess and tax as costs against the defendant all reasonable costs incurred by the particular department or agency which investigated the pollution in such action. Such costs, as testified to by sworn affidavit, shall be paid over by the court to that department or agency which performed the investigation.

(q) Any person who violates any of the provisions of, or fails to perform any duty imposed by, this Act, or regulation issued hereunder, or who violates any order or determination of the Board promulgated pursuant to this Act, and causes the death of fish or other wildlife shall, in addition to the penalties and remedies provided in subsections (o) and (p), be liable to pay to the State an additional amount equal to the sum of money reasonably necessary to restock such waters or replenish such wildlife as determined by the Commission after consultation with the Game and Fish Division or the Seafoods Division of the Department of Conservation, or any other governmental agency. Such sums as may thus be recovered, including punitive damages, if any, shall be credited, regardless of who instituted such action, to the Game and Fish and/or Seafood Fund as the Director of Conservation may determine. If the pollution has caused damage to fish and/or other wildlife in excess of \$5,000.00, as determined by the Alabama Department of Conservation or any other governmental agency, and testified

to by sworn affidavit, the damage shall be presumed to have been the direct and proximate result of negligence of the person shown to be responsible for such pollution and the burden shall then be upon such person to prove freedom of negligence in causing the pollution in such cases.

(r) Nothing contained or authorized in this Act, and no suit by the Commission or the Attorney General or any District Attorney as provided for hereinabove, shall be construed to impair or abridge or abrogate any cause of action which any person or class of persons may have by any other statutory or case law for the alleviation, abatement, control or prevention of pollution or for the restitution for damages resulting therefrom. Nor shall any provision of this Act be construed so as to create a new cause or causes of action with reference to this subsection.

(s) The Commission or the Attorney General or any District Attorney may bring suit to enjoin any actual or threatened violation of any provision of this Act or violation of any rule, regulation or order made hereunder, or to control a health hazard resulting from pollution.

Section 5. Funds, facilities and personnel. The Commission is authorized to accept and use such funds, facilities, or personnel as may be or may become available for the purposes of this Act, either directly to the Commission or in any of the state departments or from Federal or other agencies represented; but nothing herein shall be construed to limit, modify, or supercede any of the powers or duties of said cooperating departments or agencies unless in direct conflict with this Act, nor to interfere with the power of each such department or agency to determine the disposition of funds specifically appropriated to it and to select, employ and control all of its employees regardless of the fact that said employees may be assigned and devoting the whole or a part of their time to work under the direction of the Commission. There is hereby created and there shall be a fund which shall be known as the Water Improvement Commission Fund. This fund shall consist of: (a) All moneys appropriated to the Commission by the State Legislature of Alabama; (b) All moneys received by the Commission by appropriation from county or municipal governments; (c) All gifts, grants, bequests or donations from individuals, associations, corporations, or industries; (d) All moneys derived through any source of Federal Aid; and (e) All moneys accruing to the Commission from any source whatever. The fund shall be used and expended by the Chairman of the Commission in accordance with the terms of the gift, grant, bequest, appropriation or donation from which said moneys are derived, and in the absence of any such terms or stipulations shall be expended by the Chairman of the Commission in furtherance of any of the provisions of this Act. All necessary expenses of the Commission shall likewise be paid out of said fund on the requisition of the Chairman of the Commission as may be deemed advisable. The Commission is authorized to employ such consultants and fulltime technical and clerical and other workers as are necessary and within the available funds to carry out the purposes of this Act.

Section 6. All of the matters pending before the Water Improvement Commission upon the effective date of this Act shall upon the effective date of this Act be transferred to the jurisdiction of the new Commission, and all actions heretofore taken and jurisdiction heretofore exercised by the Water Improvement Commission, shall be considered in all respects as having been acts of the new Commission. All personnel who are in the employ of or are assigned to the Water Improvement Commission upon the effective date of this Act shall, upon the effective date of this Act, become the employees of or assigned to the new Commission. All books, records, equipment, facilities, funds

allocated to or in its possession (including unexpended appropriations), notes and accounts receivable and all other property of every kind whatsoever of the Water Improvement Commission upon the effective date of this Act shall, be transferred to, vest in and become the property of the new Commission, and all contracts, leases, debts, obligations and liabilities of every kind whatsoever of the Water Improvement Commission upon the effective date of this Act shall, upon the effective date of this Act, be transferred to, inure to the benefit of and be binding upon the new Commission, it being the intent of this Act that the new Commission supersede and replace, but continue all business and affairs of, the Water Improvement Commission.

Section 7. The Commission is hereby designated the State Water Pollution Control Agency for this State for all purposes of the Federal Water Pollution Control Act, as amended (33 USC 466) and is hereby authorized to take all actions necessary and appropriate to secure to this State the benefits of said Federal Act.

Section 8. This Act is intended to supplement existing law, and no part hereof shall be construed to repeal any existing laws specifically enacted for the protection of health or the control of radiation; however, Act No. 574, Regular Session of 1965 Legislature, is hereby expressly repealed.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective 60 days after its passage and approval by the Governor or upon its otherwise becoming a law.

Mr. Owen moved that the substitute for the Bill, S. B. 79, as amended, be laid on the table, which motion was lost.

Yeas 14; Nays 16.

*Yeas:*

Messrs.:	Givhan	Malone	Register	
Branyon	Hammond	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilson	
Cooper	Lindsey	Owen		—14

*Nays:*

Messrs.:	Dozier	Hawkins	McLain	
Bailes	Fine	Jones	Pierce	
Carr	Foshee	King	Vacca	
Cook	Gilmore	Littleton	Wilder	
Dominick				—16

Mr. Owen then moved that further consideration of the Bill, S. B. 79, as amended and pending Carr substitute, be postponed until the next Legislative Day.

On motion of Mr. Carr, the motion to postpone was laid on the table.

Yeas 17; Nays 16.

*Yeas:*

Messrs.:	Dozier	Hawkins	McLain	
Bailes	Edington	Jones	Pierce	
Carr	Fine	King	Vacca	
Cook	Foshee	Littleton	Wilder	
Dominick	Gilmore			—17

*Nays:*

Messrs.:	Hammond	Lybrand	Owen
Branyon	Harris	Malone	Register
Clark	Horne	Noonan	Weaver
Cooper	Lindsey	O'Bannon	Wilson
Givhan			

—16

Mr. Owen then moved that further consideration of the Bill, S. B. 79, as amended and pending Carr substitute be postponed until the Thirty-first Legislative Day.

On motion of Mr. Carr, said motion to postpone was laid on the table.

Yeas 17; Nays 15.

*Yeas:*

Messrs.:	Dozier	Hawkins	McLain
Bailes	Edington	Jones	Pierce
Carr	Fine	King	Vacca
Cook	Foshee	Littleton	Wilder
Dominick	Gilmore		

—17

*Nays:*

Messrs.:	Givhan	Lindsey	Owen
Branyon	Hammond	Malone	Register
Clark	Harris	Noonan	Weaver
Cooper	Horne	O'Bannon	Wilson

—15

And said Carr substitute for the Bill, S. B. 79, as amended by the Committee substitute, was then adopted by the Senate.

Yeas 24; Nays 7.

*Yeas:*

Messrs.:	Dozier	Hawkins	Malone
Bailes	Edington	Horne	O'Bannon
Branyon	Fine	Jones	Pierce
Carr	Foshee	King	Vacca
Clark	Gilmore	Littleton	Weaver
Cook	Harris	McLain	Wilder
Dominick			

—24

*Nays:*

Messrs.:	Givhan	Noonan	Register
Cooper	Hammond	Owen	Wilson

—7

Mr. Carr offered the following amendment to the Bill, S. B. 79, as amended, to-wit:

## AMENDMENT TO S. B. 79

Amend Section 3 of S. B. 79 by adding a new subsection (1) as follows:

"(1) The Commission is authorized to provide for the establishment of other advisory committees, appointment of the membership of such committees, scope of investigation, and other duties, of such committees. The period of duration of such committees and the terms of



members of such committees shall be established by the Commission. No salary or compensation shall be allowed any member of such committees for services thereon. Actual and necessary travel subsistence, and other expenses incurred by members of such committees in the discharge of their official duties as members of such committees and when approved by the Chairman or the Chief Administrative Officer, by direction of the Commission, shall be paid at the rate allowed other State employees as provided by law from any funds which are or may become available for the purpose of this Act."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

Nays: —0

Mr. Carr then offered the following amendment to the Bill, S. B. 79, as amended, to-wit:

#### AMENDMENT TO S. B. 79

In Section 3(h) of the bill, on page 4, strike the word chairman in the first line of said subsection and insert in lieu thereof the word commission.

Which was adopted.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pierce	
Bailes	Edington	Littleton	Register	
Branyon	Fine	McLain	Vacca	
Carr	Gilmore	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilder	
Dominick				—20

Nays: —0

Mr. Carr then offered the following amendment to the Bill, S. B. 79, as amended, to-wit:

#### AMENDMENT TO S. B. 79

Section 8 of S. B. 79 is hereby amended to include the following immediately after the last sentence as it is now structured.

All remedies for the prevention and abatement of water pollution given to the Attorney General through the authority of this Act are merely cumulative. Nothing in this Act shall be interpreted as negating or destroying any common law or statutory right, duty, power, or authority of the Attorney General of Alabama.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pierce	
Bailes	Edington	Littleton	Register	
Branyon	Fine	Lybrand	Vacca	
Carr	Gilmore	McLain	Weaver	
Cook	Jones	Noonan	Wilder	
Dominick	King	O'Bannon		—22

Nays:

—0

Mr. Carr then offered the following amendment to the Bill, S. B. 79, as amended, to-wit:

#### AMENDMENT TO S. B. 79

Amend S. B. 79 by striking the last sentence of subsection (r) of Section 4 and by adding a new subsection (t) to Section 4 as follows:

“(t) As hereinafter provided, any class of no less than five (5) adult resident citizens of the county in which the injunction is sought may bring suit to enjoin any actual or threatened violation of any provision of this Act or any rule, regulation, standard, order or permit issued under it. The right of any such class to seek such an injunction shall be conditioned upon a written sworn petition, stating therein the grounds upon which the injunction is sought, requesting the Commission and the Attorney General to commence such action. Should neither the commission nor the Attorney General file such action within fifteen days of receipt of a petition therefor, then any such class may institute such action in their own names in the county or counties where pollution occurs. If the court has reasonable ground to doubt the solvency or the ability of the class to pay any cost or judgment which might be rendered against them in an action brought under this Act, the court may order the plaintiffs to post a cost bond or cash not to exceed \$500.00. If, in such suit, the court holds that injunctive relief should be granted, then the State shall be made a party and shall be substituted by order of the court for the person who brought the suit and the injunction, whether temporary or permanent, shall be issued as if the State had at all times been the complaining party.”

Which was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Dozier	Horne	Pierce	
Bailes	Edington	Littleton	Vacca	
Carr	Fine	Lybrand	Wilson	
Dominick	Foshee	McLain		—14

Nays:

Messrs.:	Gilmore	King	Owen	
Branyon	Givhan	Lindsey	Register	
Clark	Hammond	Malone	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Jones	O'Bannon		—18

And said Bill, S. B. 79, as thus amended, was read a third time at length and passed.

Yeas 27; Nays 4.

Yeas:

Messrs.:	Dominick	Hawkins	Noonan
Bailes	Dozier	Horne	O'Bannon
Branyon	Edington	Jones	Pierce
Carr	Fine	King	Shelby
Clark	Foshee	Lindsey	Vacca
Cook	Gilmore	Littleton	Wilder
Cooper	Hammond	McLain	Wilson

—27

Nays:

Messrs.:			
Givhan	Owen	Register	Weaver

—4

### POINT OF PERSONAL PRIVILEGE

Mr. Shelby stated that had he been present when the vote was taken on passage of H. B. 198, he would have voted "Aye".

### BILLS ON THIRD READING RESUMED

The Bill:

H. 702. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose and policy relative to air quality; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.

was taken up.

On motion of Mr. Wilson, further consideration of the Bill, H. B. 702, was postponed until the next Legislative Day as Unfinished Business.

The Bill:

H. 815. To amend the provisions of Title 22, Sections 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, and 231, Code of Alabama 1940, as amended, to change the name of the state agency created by the Legislature; to stabilize and regulate the milk industry in Alabama; to change the composition of the Alabama Dairy Commission to be a Commission made up of five voting members, four of whom to be persons with no direct or indirect interest in the milk business and the Commissioner of Agriculture and Industries; to invest the Dairy Commission with power to employ services of economists, accountants, and other experts to assist the Commission in carrying out its functions; to invest the Commission with the power to require distributors, producer-distributors, dealers, processors, or handlers to post sufficient bond to pro-

tect producers and producer payrolls form insolvency of distributors, producer-distributors, dealers, processors, or handlers, or default by said distributors, producer-distributors, dealers, processors, or handlers in making payment for milk received; to require distributors, producer-distributors, dealers, processors, and handlers to make a full and complete accounting to producers, of all milk received, from all sources, including a complete fat and skim accounting; to require the commission to conduct cost studies and prepare findings of fact before fixing the prices for hauling, transporting, bottling, packaging, distributing, processing, and marketing milk; to invest the Commission with the power to fix by economic formula prices to be paid producers and producer associations for milk sold in the state of Alabama.

was taken up.

Mr. Lindsey offered the following amendment to the Bill, H. B. 815, to-wit:

#### AMENDMENT TO H. B. 815

Amend H. B. 815 by striking subsection 11 of Section 216 in its entirety and substituting the following therefor.

(11) Cooperatives. A cooperative agricultural association or corporation organized under the laws of Alabama or any other state and authorized to do business in the State of Alabama and in which producers hold membership and have granted written authority to such association or corporation to act as agent or representative in the purchasing or marketing of producer milk shall be deemed to be a producer within the provisions of this section, shall be entitled to its benefits, and shall not be required to file the bond under the provisions of this article.

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 13; Nays 9.

Yeas:

Messrs.:	Givhan	Littleton	Owen	
Cook	Harris	Malone	Pierce	
Cooper	Horne	Noonan	Weaver	
Edington	Jones			—13

Nays:

Messrs.:	Carr	Gilmore	Register	
Bailes	Fine	Lindsey	Wilder	
Branyon	Foshee			—9

Mr. Lindsey then offered the following amendment to the Bill, H. B. 815, to-wit:

#### AMENDMENT TO H. B. 815

Amend H. B. 815, Section 206 by striking the sixth paragraph of said Section which contains the definition of Producer and substituting the following therefor:

'Producer' means a person who produces milk, any part or all of which is sold to another by whatever means or device, for use, resale, or for fluid milk consumption. Said term includes an association in which producers hold membership or an association which holds written authority from producers to act as agent or representative in purchasing or marketing producer milk.

On motion of Mr. Harris, said amendment was laid on the table

# REGULAR SESSION

1847

Yeas 21; Nays 6.

Yeas:

Messrs.:	Edington	Horne	Owen	
Carr	Foshee	Jones	Pierce	
Clark	Givhan	King	Vacca	
Cook	Hammond	Littleton	Weaver	
Dominick	Harris	Malone	Wilson	
Dozier	Hawkins			—21

Nays:

Messrs.:	Branyon	Fine	McLain	
Bailes	Cooper	Lindsey		—6

And said Bill, H. B. 815, was then read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	Jones	Pierce	
Branyon	Foshee	King	Register	
Carr	Gilmore	Lindsey	Shelby	
Clark	Givhan	Littleton	Vacca	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier				—32

Nays: —0

The Bill:

H. 471. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Pierce	
Bailes	Fine	Jones	Register	
Branyon	Foshee	King	Shelby	
Carr	Gilmore	Littleton	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Hawkins			—29

Nays: —0

## CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Givhan, further consideration of the Bill, S. B. 377, was indefinitely postponed by the Senate.

## ADJOURNMENT

At 6:20 P. M., on motion of Mr. Fine, the Senate adjourned until Thursday, August 19, 1971, at 10 o'clock A. M.

## TWENTY-NINTH LEGISLATIVE DAY

THURSDAY, AUGUST 19, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

## PRAYER

The Session was opened with prayer by Major B. T. Lewis, Salvation Army, Montgomery, Alabama.

## ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

## JOURNAL

On motion of Mr. Pelham, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-eighth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-eighth Legislative Day was approved by the Senate.

## REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 386. To provide a form of municipal government to be known as the mayor-council form of government, which may be adopted by any

city in the State of Alabama having a population of not less than 30,000 nor more than 33,000 according to the most recent federal decennial census; to provide the method by which any such city may adopt the mayor-council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the mayor-council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a mayor and for the filling of vacancies in the office of mayor and to provide the duties and authority of the mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, function and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the mayor-council form of government; to make various other provisions for any such city which adopts the mayor-council form of government and for the government thereof; and to provide for the means of abandoning the mayor-council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Also:

S. 387. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of not less than 30,000 nor more than 33,000, according to the most recent federal decennial census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of vote, and the declaration and certification of the result.

Also:

S. 519. To repeal Act No. 356, H. 627, approved August 30, 1963, entitled, "An Act relating to powers of cities having populations of not less than 200,000 and not more than 300,000, according to the last or any subsequent Federal Decennial Census; authorizing the governing bodies of such cities to adopt ordinances, which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act, "(Acts of Alabama 1963, vol. 2, p. 855)"; and to repeal the two Acts amending the above Act viz. Act No. 613, H. 1145, approved August 30, 1965, (Acts of Alabama, Regular Session 1965, vol. 2, p. 1127), and Act No. 83, H. 140, approved September 30, 1965, (Acts of Alabama, 2nd Special Session 1965, vol. 1, p. 113).

Also:

S. 520. Relating to the powers of cities having populations of not less than 175,000 nor more than 275,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances to permit certain commissions for the preservation and protection of the historic architectural character of the

city and the promotion of historic districts as tourist attractions, to provide certain outdoor dining facilities in connection with such promotion.

Also:

S. 521. To amend the Title and Section 1 of Act No. 126, H. 158, Second Special Session 1963 (Acts 1963, p. 314), which provides for advisory referendum elections in certain cities classified on a population basis.

Also:

S. 522. To amend the Title and Section 1 of Act No. 435, H. 402, Special Session 1966 (Acts 1966, p. 580), which provide for a retirement pension for certain elected public officials in certain cities classified on a population basis.

Also:

S. 523. To amend the Title and Section 1 of Act No. 749, S. 570, Regular Session 1967 (Acts 1967, p. 1603), which authorizes and provides for the payment of supplemental retirement benefits to certain municipal employees in certain cities classified on a population basis.

Also:

S. 524. To amend the Title and Section 1 of Act No. 613, H. 1179, Regular Session, 1961 (Acts 1961, p. 729), which authorizes certain cities classified on a population basis to make payments to widows and children of former deceased employees of such cities.

Also:

S. 525. To amend the Title and Section 1 of Act No. 287, H. 193, Special Session 1965 (Acts 1965, p. 395), as last amended, which provides for compensation of members of the boards of commissioners and imposes a qualifying fee upon persons who desire to become candidates for the office of commissioner of certain cities classified on a population basis.

Also:

S. 526. To amend the Title and Section 1 of Act No. 716, H. 1012, Regular Session, 1967 (Acts 1967, p. 1553), which provides civil service or merit system status for Chiefs of Police of certain cities classified on a population basis.

Also:

S. 527. To amend the Title and Section 1 of Act No. 502, S. 445, Regular Session 1963 (Acts 1963, p. 1084), which provides for the reduction of the corporate limits of certain cities classified on a population basis.

Also:

S. 528. To amend the Title and Section 1 of Act No. 823, S. 138, Regular Session 1965 (Acts 1965, p. 1539), which further provide for the form of government of certain cities classified on a population basis.

Also:

S. 529. To amend the Title and Section 1 of Act No. 39, H. 67, Special Session 1962 (Acts 1962, p. 50), which provides for the appointment of an administrative assistant in certain cities classified on a population basis.



Also:

S. 530. Further amending Section 781, Title 37, Code of Alabama 1940, as amended; prescribing certain qualifications for membership of the board of adjustment in cities of not less than 175,000 nor more than 275,000 population according to the most recent federal decennial.

Also:

S. 531. To amend the Title and Section 1 of Act No. 682, H. 937, Regular Session, 1967 (Acts 1967, p. 1508), which provides for a retirement pension for certain elected public officials of certain cities classified on a population basis.

Also:

S. 533. To amend the Title and Section 1 of Act No. 458, H. 501, Regular Session, 1967 (Acts 1967, p. 1150), which provides that certain cities classified on a population basis shall be empowered to offer rewards for apprehension of criminals.

Also:

S. 535. To amend the Title and Section 1 of Act No. 26, H. 48, Special Session 1962 (Acts 1962, p. 37), which provides for the payment of benefits to employees of certain cities classified on a population basis.

Also:

S. 536. To amend the Title and Section 1 of Act No. 255, H. 269, Special Session 1964 (Acts 1964, p. 351), as amended by Act No. 379, H. 427, Special Session 1966 (Acts 1966, p. 523), which provides for the compensation of the ex officio judge of certain cities classified on a population basis.

Also:

S. 537. To amend the Title and Section 1 of Act No. 33, H. 48, Special Session 1970 (Acts 1970, p. 2655), which authorizes certain cities classified on a population basis to make appropriations to any State institution of higher learning.

Also:

S. 538. To amend the Title, Section 1, and Section 2 of Act No. 666, H. 916, Regular Session 1967 (Acts 1967, p. 1487), which provides for the administration of property for parking facilities.

Also:

S. 539. To amend the title and Section 1 of Act No. 194, S. 99; Special Session 1969 (Acts 1969, p. 257), which Act provides for a public transit system in certain cities classified on a population basis.

Also:

S. 812. To alter, redefine, rearrange and extend the boundary lines and corporate limits of the City of Luverne in Crenshaw County.

Also:

S. 813. To alter, rearrange and extend the boundary lines and corporate limits of the town of Glenwood in Crenshaw County.

Also:

S. 814. To amend Section 7 of Act No. 112, S. 51, Special Session 1971, approved May 11, 1971, which provides for the election of members of the Crenshaw County Commission so as to make the provisions of the Act effective immediately.

Also:

S. 854. Relating to Walker County; to impose a trial tax on all cases in the Inferior Court of the county.

Also:

S. 855. Relating to Walker County, providing for the participation of certain county employees in the Employees' Retirement System of Alabama.

Also:

S. 856. To further regulate the late fee collected in the tax collectors office in all counties having a population of not less than 55,500 nor more than 56,500, according to the most recent federal decennial census.

Also:

S. 857. Relating to Walker County; to provide an expense allowance to the Judge of the Inferior Court of said county.

Also:

S. 907. To provide for expense allowances for Probate Judges in certain counties classified on a population basis.

Also:

S. 908. To provide for expense allowances for Tax Collectors in certain counties classified on a population basis.

Also:

S. 909. To provide for expense allowances for the Judge of the Intermediate Court in certain counties classified on a population basis.

Also:

S. 910. To provide for expense allowances for tax assessors in certain counties classified on a population basis.

Also:

S. 911. Relating to counties having a population of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; to provide for an increase from \$.50 to \$1.00 in the assessment fee on real and personal property in such counties.

Also:

S. 943. To amend the title and Section 1 of Act No. 127, H. 142, Regular Session 1961 (Acts 1961, p. 167) which provides for the election of the municipal governing body in certain cities classified on a population basis.

Also:

S. 944. To amend the title and Section 1 of Act No. 32, H. 30, Special Session 1965 (Acts 1965, p. 49), which provides for expense allowance for members of the boards of education in certain counties classified on a population basis.

Also:

S. 945. To amend Section 6 of Act No. 313, H. 243, approved February 13, 1895 (Acts 1894-5, p. 553), entitled An Act to regulate and prescribe the manner of electing county commissioners of Perry County; so as to regulate further the manner of electing such commissioners and to prescribe their qualifications.

JAMES S. CLARK,  
Chairman.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McLain:

S. 1150. To repeal Act No. 410, H. 138, 1969 Regular Session, pertaining to off street parking facilities in cities of not less than 100,000 nor more than 150,000.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1151. To repeal Act No. 231, 1969 Regular Session, pertaining to compensation of recorders court judges in cities of not less than 100,000 nor more than 200,000.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1152. To repeal Act No. 417, 1957 Regular Session, pertaining to salaries of commission or council members in cities of not less than 125,000 nor more than 250,000.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1153. To repeal Act No. 480, H. 871, 1961 Regular Session, approved August 8, 1961, pertaining to planning and zoning in incorporated cities having a population of not less than 100,000 nor more than 200,000.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1154. To repeal Act No. 484, H. 932, 1961 Regular Session, pertaining to employees of waterworks or other boards in all cities of 100,000 nor more than 200,000.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1155. To repeal Act No. 486, H. 939, 1961 Regular Session, pertaining to retirement systems in cities exceeding 100,000 and not exceeding 200,000.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1156. To repeal Act No. 463, H. 869, 1961 Regular Session, requiring cities of not less than 100,000 nor more than 200,000 to become organized under the commission form of government.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1157. To repeal Act No. 407, 1961 Regular Session, pertaining to counties having populations of 150,000 and less than 300,000 in which there is an incorporated city having a population of 100,000 and less than 200,000, and having to do with appointment of a humane officer.

Committee on Local Legislation No. 1.

By Mr. Hammond:

S. 1158. To repeal Act No. 65, S. 290, approved July 12, 1971, Regular Session 1971, entitled, "An Act To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act."

Committee on Local Legislation No. 1.

By Mr. Hammond:

S. 1159. To repeal Act No. 111, S. 49, approved May 11, 1971, Special Session 1971, entitled, "An Act To prohibit commercial fishing in counties having populations of less than 15,400 nor more than 15,625, except by residents and/or voters of such counties."

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1160. To amend Section 3 and 10 of Act No. 867, Acts of Alabama, 1965, Regular Session, said Act creating the Board of Nursing, relating to nursing and the practice of nursing, qualifications of nurses, fees and charges for services of the Board of Nursing, the disciplining of licensees and fixing penalties for violations of said Act.

Committee on Health.

By Mr. Branyon:

S. 1161. To amend the title and Section 1 of Act No. 947, H. 1370, Regular Session 1969 (Acts 1969, p. 1681), which Act provides further to all counties having populations of less than 10,660, according to the most recent federal decennial census; to authorize and direct the county governing body of any such counties to allow and pay to the sheriff of said county an amount not in excess of four hundred dollars (\$400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business of the county.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 1162. To amend the title and Section 1 of Act No. 946, H. 1369, Regular Session 1969 (Acts 1969, p. 1680), which Act provides further for the annual salary of the chief deputy sheriff in all counties having populations of less than 10,660, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 1163. To amend the title and Section 1 of Act No. 779, H. 847, Regular Session 1969 (Acts 1969, p. 1394), which Act provides further for reimbursing the members of the county governing bodies of all counties having populations of less than 10,660, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 1164. To amend the title and Section 1 of Act No. 945, H. 1368, Regular Session 1969 (Acts 1969, p. 1680), which Act provides further for all counties having populations of less than 10,660, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 1165. To amend the title and Section 1 of Act No. 267, H. 63, Special Session 1961 (Acts 1961, p. 2283), which Act provides further for use of certain earmarked or dedicated school revenues for general educational purposes, including payment of teachers' salaries, in counties having populations of less than 10,660; repealing conflicting laws.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 1166. To amend the title and Section 1 of Act No. 949, H. 1372, Regular Session 1969 (Acts 1969, p. 1682), which Act provides further to fix the compensation of the deputy solicitors of all counties having populations of less than 10,660, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Branyon:

S. 1167. To amend the title and Section 1 of Act No. 948, H. 1371, Regular Session 1969 (Acts 1969, p. 1681), which Act provides further for clerical assistants to the judge of probate in all counties having populations of less than 10,660, according to the most recent federal decennial census; and to provide that their compensation shall be payable out of the county treasury.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 1168. Applicable to counties having a population of not less than 115,000 and not more than 150,000 inhabitants according to the last or any succeeding Federal census; to authorize the incorporation in each

such county of one of more public corporations for public hospital purposes; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors and its officers and providing for their terms of office; to specify the qualifications of such members, the powers and procedure of such board of directors, and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties, revenues and receipts as security therefor; to provide for the priority of such pledges; to provide that such securities shall be solely an obligation of such corporation; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, all instruments executed as security therefor, all conveyances to such corporation, and the income and properties of such corporation; to authorize the investment of fiduciary funds in securities of such corporation; to provide for the dissolution of such corporation; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation, without consideration or election therefor, hospitals, other public health facilities, and funds raised or allocated for hospital purposes and to provide that this act shall be independent and cumulative.

Committee on Local Legislation No. 1.

By Messrs. Bailes, Fine, King, Jones, Gilmore, Vacca, Carr, Dozier, Clark, McLain, Noonan, Hawkins, Register, Branyon, Pierce, Harris, Cooper, Malone, Littleton, Owen, Pelham, Edington, Foshee, Horne, Wilder and Lybrand:

S. 1169. To provide further for the retirement of highway patrolmen, state troopers and other law enforcement officers of the State Department of Public Safety; to allow such officers to retain their badges, pistols, and certain other equipment upon retirement.

Committee on Judiciary.

By Messrs. Gilmore, Hawkins, Dominick, Cook, King, Vacca and Bailes:

S. 1170. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Committee on Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That, from and after the passage and approval of this Act the boundary lines of the City of Birmingham, Jefferson County, Alabama, be and the same are altered and re-arranged so as to include within the corporate limits of said City, in addition to the territory included within its present corporate limits, the territory lying and

situated in Jefferson County, Alabama, contiguous to said City, more particularly described as follows:

A tract of land situated in part of Section 29, Township 16 South, Range 1 West; part of Section 32, Township 16 South, Range 1 West; part of Section 33, Township 16 South, Range 1 West; and part of Section 5, Township 17 South, Range 1 West; all in Jefferson County, Alabama, and being more particularly described as follows:

Begin at the Southeast Corner of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 29 and run North along the East line thereof to the crest of Red Mountain; thence Northwesterly and Southwesterly along the crest of Red Mountain to its intersection with the North line of said Section 32; thence West along the North line of said Section 32 to the Northeast Corner of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 32; thence South along the East line of said quarter-quarter Section to the Southeast Corner thereof; thence West along the South line of said quarter-quarter Section to the Northeast Corner of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 32; thence South along the East line of said quarter-quarter Section to the Southeast Corner thereof; thence West along the South line of said quarter-quarter Section to a point that is 350.00 feet East of the West line of said Section 32; thence South along a line 350.00 feet Easterly of and parallel to the West line of said Section 32 to its intersection with a line that extends from the Northwest Corner of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 32 to a point on the South line of said Section 32 that is 784 feet Easterly of the Southwest Corner of said Section 32; thence Southeasterly along said last mentioned line to the South line of said Section 32; thence West along the South line of said Section 32 for 784 feet to the Southwest Corner thereof; thence South along the West line of Section 5, Township 17 South, Range 1 West to its intersection with the Northwesterly Right of Way line of Interstate Highway I-59; thence Northeasterly along said Right of Way line to its intersection with the Southwesterly Right of Way line of Edwards Lake Road; thence Northwesterly along said Right of Way line to its intersection with the North line of Section 32, Township 16 South, Range 1 West; thence West along the North line of said Section 32 to the Point of Beginning.

Except that part of SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 32, Township 16 South, Range 1 West, described as follows:

Commence at the Northwest Corner of said quarter-quarter section; thence East along the North line thereof for 559.36 feet; thence 90 degrees 49 minutes right and run Southerly for 452.32 feet to the Point of Beginning; thence continue Southerly along last stated course for 315.00 feet; thence 90 degrees 49 minutes left and run Easterly 315.00 feet; thence 89 degrees 11 minutes left and run Northerly for 315.00 feet; thence 90 degrees 49 minutes left and run Westerly 315.00 feet to the Point of Beginning.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
COUNTY OF JEFFERSON,

On this 17th day of August A. D. one thousand nine hundred and seventy one personally appeared before me, R. H. Carlisle, a Notary Public in and for the County and State aforesaid Harriet Gallvia, who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson,

State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post-Herald" on the following dates: July 30, 31, Aug. 7, 14, 17, 1971.

HARRIET GALLVIA.

Subscribed and sworn to before me this 17th day of Aug. A. D. 1971.

R. H. CARLISLE,  
Notary Public.

My Commission Expires 3-8-73.

By Mr. McLain:

S. 1171. To repeal Act No. 428, 1961 Regular Session; pertaining to each county in the state which has a population of not less than 150,000 and not more than 300,000, creating and establishing a personnel department.

Committee on Local Legislation No. 1.

By Mr. Foshee:

S. 1172. To provide that in all public contracts the contractor may withdraw the whole or any portion of the amount retained from payments due the contractor by depositing security therefor: and for related matters:

Committee on Commerce, Transportation  
and Common Carriers.

By Mr. Pierce:

S. 1173. To be known as the "Alabama Occupational Safety and Health Act" the general purpose of which is to prevent accidents and occupational diseases; to create the Occupational Safety and Health Commission; to vest enforcement and administration of this Act in said Commission; to authorize the Commission to employ an Executive Director and other personnel; to authorize said Executive Director to make certain contracts deemed necessary by him and approved by the Commission; to set out the powers and duties of the Commission and its Executive Director; to authorize the Executive Director to take action to eliminate any clear and immediate threat to safety and health; to provide for appeals from orders of the Executive Director; to set penalties for violations; to authorize inspections and investigations by the Executive Director; to authorize the making of rules and regulations and the granting of variances therefrom by the Commission; to authorize the appointment of a State Safety Engineer; to allow employers to require physical examinations of employees; to provide for transfer of functions and funds from other State departments; to authorize compliance with the Federal Occupational Safety and Health Act of 1970; to exempt mines and mining from the operation of this Act; and to provide for the appropriation of funds to the Commission.

Committee on Commerce, Transportation  
and Common Carriers.

By Mr. Dozier:

S. 1174. To repeal Act No. 125, H. 319, approved July 1, 1969, Regular Session 1969 (Acts 1969, p. 401), entitled, "An Act To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws."

Committee on Local Legislation No. 1.



By Mr. Dozier:

S. 1175. To amend the title and Section 1 of Act No. 703, H. 966, Regular Session 1965 (Acts 1965, p. 1305) which provides further for the selection of textbooks and instructional materials for use in the public schools in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 1176. To establish the salary of the solicitor of the Intermediate Court in counties having a population of not less than 55,500 nor more than 56,500, according to the most recent Federal decennial census.

Committee on Local Legislation No. 1.

By Messrs. Noonan and Pelham:

S. 1177. To provide for the creation, incorporation and operation of the Marine Environmental Sciences Consortium; to state the purposes for which the consortium is to be organized and to define its powers; to provide for the member institutions, officers and directors of the consortium; and to grant to the governing boards of the member institutions the authority to make contributions to the consortium.

Committee on Seaports.

By Mr. McLain:

S. 1178. To provide for the manner and procedure for the election of members of the Madison County Commission or like governing body that may be created for Madison County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for the manner and procedure for the election of members of the Madison County Commission or like governing body that may be created for Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section One: Any other provisions of law notwithstanding one member from each of the districts are constituted and defined on January 1 of the year of election, shall be elected in the 1972 general election and at the general election held every four years thereafter to serve for four years from the time of their installation in office and until their successors shall be elected and qualified, such installation to take place on the first Monday after the second Tuesday in January after their election. The chairman or presiding officer of the Madison County Commission or like governing body which may be created for Madison County, Alabama shall be the member elected from the district wherein the county seat is located. Each member so elected shall be a registered voter in and a resident of the district as so constituted and defined and each member shall be elected by the qualified voters of the county at large.

Section Two: Whenever a member of the said board or like governing body of the county shall move his residence or his voting place from the district from which he was elected his office on said board shall be-

come vacant and his successor, who shall have the same qualifications as an elected member, shall be appointed by the board to serve until the next general election and until his successor is elected and qualified.

Section Three: All laws or parts of laws, local, general or special, in conflict with this Act are hereby repealed.

Section Four: The provisions of this Act are severable. If any section, provision or sentence of this Act is held to be unconstitutional or invalid such holding will not affect the constitutionality or validity of the remaining portions of this Act.

Section Five: This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Gary Buckner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the Huntsville News, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, August 7, August 9, and August 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me August 16, 1971.

WILSON B. BAKER,  
Notary Public.

By Mr. Shelby:

S. 1179. To amend Title 14, Alabama Code, Section 334, relating to shoplifting.

Committee on Judiciary.

By Mr. McLain:

S. 1180. To amend all general laws heretofore passed by the Legislature of Alabama, which according to their terms apply only to counties having a population of not less than 110,000 nor more than 165,000 according to the last or most recent federal census, and not heretofore amended so as to change the population classification to which said Acts apply, and not heretofore repealed, with the exception of Act No. 22, H. 108, approved August 19, 1964, as amended, which is expressly excepted from the operation thereof, so as to change the classification thereof to apply only to counties having a population of not less than 170,000 nor more than 300,000, according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Fine:

S. 1181. Proposing an amendment to the Constitution of Alabama in relation to establishing a Legislative Retirement System.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. Fine:

S. 1182. Relating to the creation of the Alabama Legislative Retirement System, to provide for the administration of said system by the Board of Control of the Employees Retirement System of Alabama; to designate the powers and privileges which shall be enjoyed by such system; to determine the benefits, membership, creditable service, individual and state contributions and all other matters material to establishing such a system; to establish the office of Executive Secretary of said system; to allow the Board of Control to have certain powers over funds deposited in the system and to allow said board the right to provide certain actuarial and other services and to keep records of certain proceedings; to establish certain exemptions from taxes, sale, garnishment, attachment, and other processes for the funds in said system; and to provide penalties for the violation of certain provisions of this Act.

Committee on Judiciary.

By Mr. Wilson:

S. 1183. To amend the title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. 1, p. 183), which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Messrs. King, Cook, Hawkins and Vacca:

S. 1184. To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939 and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965 to increase the Law Library Tax in each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bail bond given in connection with an appeal from a judgment of conviction in any inferior court or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); to increase the Law Library Tax in each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, from fifty cents (50¢) to one dollar (\$1.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty-five cents (25¢) to fifty cents (50¢), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (10¢) to twenty cents (20¢); by increasing the tax from ten cents (10¢) to twenty-five cents (25¢) in each civil case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division) and to provide that the law library at Bessemer, Alabama may be in some place other than in the Courthouse at Bessemer, Alabama; provided that said place is in the City of Bessemer, Alabama and provided that said place is designated by the senior circuit judge at Bessemer, Alabama; said increases to be effective on the day of the second calendar month next following its passage by the Legislature of

Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

Committee on Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply at the Regular Session of the Legislature of Alabama of 1971 for the adoption of an Act which will be as follows:

AN ACT

To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939 and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965 to increase the Law Library Tax in each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bail bond given in connection with an appeal from a judgment of conviction in any inferior court or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); to increase the Law Library Tax in each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, from fifty cents (50¢) to one dollar (\$1.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty-five cents (25¢) to fifty cents (50¢), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (10¢) to twenty cents (20¢); by increasing the tax from ten cents (10¢) to twenty-five cents (25¢) in each civil case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division) and to provide that the law library at Bessemer, Alabama may be in some place other than in the Courthouse at Bessemer, Alabama; provided that said place is in the City of Bessemer, Alabama and provided that said place is designated by the senior circuit judge at Bessemer, Alabama; said increases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, be and the same is hereby amended to read as follows:

In each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise, to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, there shall be taxes as costs the sum of two dollars

(\$2.00) and in each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceedings on a forfeited bail bond, or proceeding on a forfeited bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise, to the Bessemer Division of the Circuit Court in Jefferson County, Alabama, there shall be taxed as costs the sum of one dollar (\$1.00). In each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division of said county, there shall be taxed as costs the sum of one dollar (\$1.00), and in each such case hereafter filed in any statutory inferior court in the Bessemer Division of Jefferson County, Alabama, there shall be taxed as costs the sum of fifty cents (50¢). In each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) there shall be taxed as costs the sum of fifty cents (50¢), and where the amount claimed is one hundred dollars and less, there shall be taxed as costs the sum of twenty cents (20¢), and in each civil case hereafter filed in any statutory inferior court in the Bessemer Division of Jefferson County, Alabama, there shall be taxed as costs the sum of twenty-five cents (25¢). The costs taxed in pursuance of this section shall be collected as other costs in such cases are collected, and when collected by the clerks of such courts (including registers in chancery) shall be by them paid to the treasurer of Jefferson County. The sums paid to the county treasurer by the clerk and deputy register of the Circuit Court at Bessemer, Alabama, and other clerks of courts in the territorial jurisdiction of the Circuit Court at Bessemer, or which are collected by clerks in cases while the court is exercising jurisdiction in the territorial jurisdiction of the Circuit Court at Bessemer shall be kept in a separate fund designated as Jefferson County Law Library Fund (Bessemer), and shall be expended by the senior circuit judge, in point of service, sitting at Bessemer for the maintenance of a law library in the Courthouse at Bessemer, Alabama; however, the said senior circuit judge at Bessemer, Alabama shall have the authority to place the said law library in some place other than at the Courthouse at Bessemer, Alabama but in no event shall the law library be placed outside the City of Bessemer, Alabama if the senior circuit judge deems it for the best interest of the law library to be placed outside the Courthouse at Bessemer, Alabama. The sums paid to the county treasury by the clerk and register of the Circuit Court at Birmingham and other clerks in the territorial jurisdiction of the Circuit Court of Birmingham, or collected by clerks in cases while the court is exercising jurisdiction in the territorial jurisdiction of the Circuit Court at Birmingham, shall be kept by the treasurer in another separate fund designated as Jefferson County Law Library Fund (Birmingham), and shall be expended by a circuit judge of the Circuit Court at Birmingham, selected by the circuit judges of the Birmingham Division, for maintaining a law library in the Court house at Birmingham. Said judges shall respectively draw warrants on the treasurer for expenditures by them, indicating on the warrants the fund against which the warrants are drawn. The said items of cost above referred to shall be designated as law library fee, and when any part of the costs in a case have been paid, the amount necessary for the payment of said fee shall be applied thereto before applying any of the amount paid as costs to any other item of costs. On or before the tenth day of each month, the clerks of the respective courts (including registers in chancery) shall pay to the county Treasurer all amounts collected for said law library fees previous to the first day of the month. All books or other property purchased with the funds produced by this section shall be the property of Jefferson County. The management of the law library in the Courthouse at Bessemer, Alabama is vested in the senior circuit judge, in point of service, sitting at Bessemer; and the management of the law library in the Courthouse at Birmingham is

vested in a circuit judge of the Birmingham Division, to be selected by the circuit judges of the Birmingham Division.

Section 2. This Act shall take effect on the first day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of general circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, And that there was published in said newspaper in the issues of July 17, 24, 31, August 7, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,  
Publisher.

Sworn and subscribed to on this the 7th day of August, 1971.

KAREN W. ABERCROMBIE,  
Notary Public.

By Messrs. King, Cook, Hawkins and Vacca:

S. 1185. To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, to increase the Law Library Tax in each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bail bond given in connection with an appeal from a judgment of conviction in any inferior court or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one-dollar (\$1.00) to two dollars (\$2.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty five cents (\$.25) to fifty cents (\$.50), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (\$.10) to twenty cents (\$.20), said increases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.

Committee on Local Legislation No. 2.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of intention to apply at the Regular Session of the Legislature of Alabama of 1971 for the adoption of an Act which will be as follows:

### AN ACT

To amend Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939 and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965 to increase the Law Library Tax in each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bail bond given in connection with an appeal from a judgment of conviction in any inferior court or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, from one dollar (\$1.00) to two dollars (\$2.00); to increase the Law Library Tax in each criminal case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, from fifty cents (50¢) to one dollar (\$1.00); and to increase the Law Library Tax in each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) from twenty-five cents (25¢) to fifty cents (50¢), and where the amount claimed is one hundred dollars (\$100.00) and less, from ten cents (10¢) to twenty cents (20¢); by increasing the tax from ten cents (10¢) to twenty-five cents (25¢) in each civil case filed in certain statutory inferior courts in Jefferson County (other than in the Birmingham Division) and to provide that the law library at Bessemer, Alabama may be in some place other than in the Courthouse at Bessemer, Alabama; provided that said place is in the City of Bessemer, Alabama and provided that said place is designated by the senior circuit judge at Bessemer, Alabama; said increases to be effective on the day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama or its otherwise becoming a law.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 138, Title 62, Code of Alabama 1940 (originally enacted as Local Act No. 462 of the 1939 Regular Session of the Legislature of Alabama, approved September 15, 1939, and subsequently reprinted as Section 138, Title 62, of the 1958 Recompiled Code of Alabama), as heretofore amended by Act No. 193 of the 1965 Regular Session of the Legislature of Alabama, approved July 30, 1965, be and the same is hereby amended to read as follows:

In each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceeding on a forfeited bail bond, or proceeding on a forfeited bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise, to the Circuit Court of Jefferson County, Alabama, except in the Bessemer Division thereof, there shall be taxes as costs the sum of two dollars (\$2.00) and in each civil or quasi civil action at law, suit in equity, criminal case, quasi criminal case, proceedings on a forfeited bail bond, or proceeding on a forfeited bond given in connection with an appeal from a judgment of conviction in any inferior or municipal court to the Circuit Court hereafter filed in, arising in, or brought by appeal, certiorari, or otherwise, to the Bessemer Division of the Circuit Court of Jefferson County, Alabama, there shall be taxed as costs the sum of one dollar (\$1.00). In each criminal case hereafter

filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division of said county, there shall be taxed as costs the sum of one dollar (\$1.00), and in each such case hereafter filed in any statutory inferior court in the Bessemer Division of Jefferson County, Alabama, there shall be taxed as costs the sum of fifty cents (50¢). In each civil case hereafter filed in any statutory inferior court in Jefferson County, Alabama, except in the Bessemer Division thereof, where the amount claimed in the complaint exceeds one hundred dollars (\$100.00) there shall be taxed as costs the sum of fifty cents (50¢), and where the amount claimed is one hundred dollars and less, there shall be taxed as costs the sum of twenty cents (20¢), and in each civil case hereafter filed in any statutory inferior court in the Bessemer Division of Jefferson County, Alabama, there shall be taxed as costs the sum of twenty-five cents (25¢). The costs taxed in pursuance of this section shall be collected as other costs in such cases are collected, and when collected by the clerks of such courts (including registers in chancery) shall be by them paid to the treasurer of Jefferson County. The sums paid to the county treasurer by the clerk and deputy register of the Circuit Court at Bessemer, Alabama, and other clerks of courts in the territorial jurisdiction of the Circuit Court at Bessemer, or which are collected by clerks in cases while the court is exercising jurisdiction in the territorial jurisdiction of the Circuit Court at Bessemer shall be kept in a separate fund designated as Jefferson County Law Library Fund (Bessemer), and shall be expended by the senior circuit judge, in point of service, sitting at Bessemer for the maintenance of a law library in the Courthouse at Bessemer, Alabama; however, the said senior circuit judge at Bessemer, Alabama shall have the authority to place the said law library in some place other than at the Courthouse at Bessemer, Alabama but in no event shall the law library be placed outside the City of Bessemer, Alabama if the senior circuit judge deems it for the best interest of the law library to be placed outside the Courthouse at Bessemer, Alabama. The sums paid to the county treasurer by the clerk and register of the Circuit Court at Birmingham and other clerks in the territorial jurisdiction of the Circuit Court at Birmingham, or collected by clerks in cases while the court is exercising jurisdiction in the territorial jurisdiction of the Circuit Court at Birmingham, shall be kept by the treasurer in another separate fund designated as Jefferson County Law Library Fund (Birmingham), and shall be expended by a circuit judge of the Circuit Court at Birmingham, selected by the circuit judges of the Birmingham Division, for maintaining a law library in the Courthouse at Birmingham. Said judges shall respectively draw warrants on the treasurer for expenditures by them, indicating on the warrants the fund against which the warrants are drawn. The said items of cost above referred to shall be designated as law library fee, and when any part of the costs in a case have been paid, the amount necessary for the payment of said fee shall be applied thereto before applying any of the amount paid as costs to any other item of costs. On or before the tenth day of each month, the clerks of the respective courts (including registers in chancery) shall pay to the county Treasurer all amounts collected for said law library fees previous to the first day of the month. All books or other property purchased with the funds produced by this section shall be the property of Jefferson County. The management of the law library in the Courthouse at Bessemer, Alabama is vested in the senior circuit judge, in point of service, sitting at Bessemer; and the management of the law library in the Courthouse at Birmingham is vested in a circuit judge of the Birmingham Division, to be selected by the circuit judges of the Birmingham Division.

Section 2. This Act shall take effect on the first day of the second calendar month next following its passage by the Legislature of Alabama and its approval by the Governor of Alabama, or its otherwise becoming a law.



## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of general circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, And that there was published in said newspaper in the issues of July 17, 24, 31, August 7, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,  
Publisher.

Sworn and subscribed to on this the 7th day of August, 1971.

KAREN W. ABERCROMBIE,  
Notary Public.

By Mr. Harris:

S. 1186. Further regulating the meetings of the county board of registrars in Morgan County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Further regulating the meetings of the county board of registrars in Morgan County.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of registrars of Morgan County may visit precincts and voting places in the performance of their official duties, as provided in Section 27, Title 17, Code of Alabama 1940, as amended, if the board, in its discretion, determines that such visits are needed; but if the board determines that such visits are not necessary, the members thereof may use that time to meet at the courthouse and receive applications for registration from persons residing anywhere in the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. D. Nettles, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Controller of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7/22, 7/29, 8/5, and 8/12, all in the year 1971.

S. D. NETTLES.

Sworn to and subscribed before me August 16, 1971.

ELIZABETH D. SANDLIN,  
Notary Public.

By Mr. McLain:

S. 1187. To repeal Act No. 979, S. 396, 1961 Regular Session, pertaining to proportion of contribution between counties and municipalities to budget of county health department.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1188. To repeal Act No. 1216, H. 1478, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, providing that such municipalities may authorize municipal electric utility boards to make certain expenditures without prior consent and approval of the governing body.

Committee on Local Legislation No. 1.

By Mr. Hammond:

S. 1189. To provide that any bank having an office or authorized place of business in DeKalb County, Alabama may, with the approval of the Superintendent of Banks of the State of Alabama, establish, maintain and operate one or more branch banks, offices or places of business in said county for the transaction of the business of banking.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the regular session of the Legislature of Alabama, which will convene in May, 1971, a bill substantially as follows will be introduced and application for its passage and enactment will be made.

A BILL  
TO BE ENTITLED  
AN ACT

To provide that any bank having an office or authorized place of business in DeKalb County, Alabama may, with the approval of the Superintendent of Banks of the State of Alabama establish, maintain and operate one or more branch banks, offices or places of business in said county for the transaction of the business in said county for the transaction of the business of banking.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank having an office or authorized place of business in DeKalb County, Alabama shall be entitled upon obtaining the approval of the Superintendent of Banks of the State of Alabama, to establish, maintain and operate one or more branch banks, offices or places of business in said county for the transaction of the business of banking.

Section 2. This act shall be effective immediately.

Notice to publish A Bill to provide for maintaining and operating one or more branches of banks in said county for the transaction of the business of banking. Published four times in The Times-Journal, July 27, August 3, 10, 17, 1971

#### PUBLISHER'S CERTIFICATE

STATE OF ALABAMA  
COUNTY OF DeKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Jerry Whittle, Gen. Mgr. of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of July 27, August 3, 10, 17, 1971.

JERRY WHITTLE,  
Gen. Mgr.

Sworn to and subscribed before me this 17th day of August, 1971.

IRIS S. HOMER,  
Notary Public.

By Messrs. Noonan, Pelham and Edington:

S. 1190. To amend Act No. 1191, Regular Session 1969, an act applying only in counties having populations not less than 300,000 nor more than 500,000 and providing for the establishment of the Juvenile Division of the Circuit Court of the circuit composed of the county in which such Juvenile Court exists.

Committee on Local Legislation No. 1.

By Mr. Vacca:

S. 1191. To prohibit the giving of worthless checks, drafts or other written orders for money; to give definition to certain words and phrases; to provide a penalty for violation; and to repeal all laws in conflict, especially Title 14, Sections 234 (8), Code of Alabama Recompiled 1958.

Committee on Judiciary.

By Mr. Carr:

S. 1192. To amend the title and Section 1 of Act No. 37, S. 69, Special Session 1964 (Acts 1964, p. 58) which regulates the compensation of jurors in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 1193. To amend the title and Sections 1 and 2 of Act No. 932, H. 1346, Regular Session 1969 (Acts 1969, p. 1670) which establishes the

procedure for the selection of a depository of the funds of the Board of Education and fixes the compensation for the members of the County Board of Education in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 1194. To amend the title and Section 1 of Act No. 213, H. 431, Regular Session 1969 (Acts 1969, p. 533) which provides for payment of in-county travel expenses for county commissioners, payable from the county treasury in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 1195. To amend the title and Section 1 of Act No. 62, H. 610, Regular Session 1969 (Acts 1969, p. 354) which provides for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 1196. To repeal Act No. 641, S. 543, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1161), entitled, "An Act To apply in counties having populations of not less than 25,400 nor more than 25,675, fixing the compensation of the clerk of the register and providing for payment thereof."

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 1197. To amend the title and Section 1 of Act No. 614, H. 1158, Regular Session 1965 (Acts 1965, p. 1128) which fixes the compensation of the clerk of the register and provide for payment thereof in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Carr:

S. 1198. To amend the title and Section 1 of Act No. 38, S. 70, Special Session 1964, (Acts 1964, p. 58) which regulates the pay of election officers in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1199. To repeal Act No. 38, H. 63, approved March 16, 1965, Special Session 1965 (Acts 1965, p. 58) as amended entitled, "An Act To provide for the payment of an expense allowance to members, including the Chairman or Ex-Officio Chairman, of the Board of Revenue, Court of County Commissioners or other like governing body of all counties having a population of not less than 25,800 nor more than 26,700, according to the last or any subsequent federal decennial census."

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1200. To amend the title and Section 1 of Act No. 602, H. 1162, Regular Session 1961 (Acts 1961, p. 713) which fixes the compensation of the coroner in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1201. To amend the title and Section 1 of Act No. 146, H. 446, Regular Session 1961 (Acts 1961, p. 189) which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1202. To amend the title and Section 1 of Act No. 858, H. 1180, Regular Session 1969 (Acts 1969, p. 1564) which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1203. To amend the title and Section 1 of Act No. 720, H. 1235, Regular Session 1965 (Acts 1965, p. 1325) which provides an expense allowance for the superintendent of education in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1204. To amend the title and Section 1 of Act No. 568, H. 904, Regular Session 1967 (Acts 1967, p. 1322) which authorizes the boards of education to purchase sites for, construction, erect and equip and operate technical and special schools within city school systems in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1205. To amend the title and Section 1 of Act No. 556, H. 540, Regular Session 1967 (Acts 1967, p. 1312) which provides that the Board of Education is authorized to expend public school funds for the purpose of purchasing a site and providing suitable and adequate office facilities for the county superintendent of education and the central office staff in certain counties classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Dozier:

S. 1206. To repeal Act No. 110, H. 426, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 490), entitled, "An Act To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census."

Committee on Local Legislation No. 1.

By Mr. Hammond:

S. 1207. Relating to counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said counties.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 1208. Relating to all counties having a population of not less than 110,000 nor more than 160,000 according to the most recent or any subsequent decennial census: To regulate further the employment of a clerk for the jury commission; to provide for and regulate the employment, discharge, compensation and duties of such clerk; to provide that such clerk shall be employed by the judges of the circuit court of said respective county and he shall be paid out of the county treasury and furnished office space, equipment and supplies by the county governing body.

Committee on Local Legislation No. 1.

By Mr. Register:

S. 1209. Relating to Dale County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws, subject to the ratification of a constitutional amendment.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Dale County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws, subject to the ratification of a constitutional amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. After September 30, 1973, there shall be a county revenue commissioner in Dale County. A commissioner shall be elected at the general election in 1972, and at the general election every four years thereafter, who shall serve for a term of four years from the thirtieth day of September next after his election, and until his successor is elected and has qualified.

Section 2. The county revenue commissioner shall do and perform all acts, duties, and functions required by law to be performed either by the tax assessor or by the tax collector of the county relative to the assessment of property for taxation, the collection of taxes, the keeping of records and the making of reports concerning assessments for and the collection of taxes.

Section 3. Subject to the approval of the court of county commissioners or other like county governing body, the county revenue commissioner shall appoint and fix the duties and compensation of a sufficient number of deputies, clerks, and assistants to perform properly the duties of his office. The acts of deputies shall have the same force and legal effect as if performed by the county revenue commissioner himself.

Section 4. Before entering upon the duties of his office the county revenue commissioner shall take the oath of office prescribed by Article XVI of the Constitution of Alabama, and execute a bond in such sum as may be fixed by the court of county commissioners or like governing body of the county, giving as security thereon a bonding company au-

thorized to do business in Alabama. The bond shall be conditioned as other official bonds are conditioned and shall be approved by and filed with the judge of probate. The cost of the bond required herein shall be paid out of the general funds of the county on warrant of the court of county commissioners or other like governing body of the county, and shall be a preferred claim against the county.

Section 5. The court of county commissioners or other like governing body of the county shall provide the necessary offices for the county revenue commissioner in the courthouse, and shall provide all stationery, equipment, and office supplies, not otherwise furnished by law, needed for the efficient performance of the duties of the office.

Section 6. The county revenue commissioner shall collect and pay into the general fund of the county all fees, percentages, commissions and other allowances which the tax assessor, the tax collector of the county are now or hereafter by law authorized or directed to charge or collect for the performance of any duty hereby imposed on the county revenue commissioner. As compensation for the performance of the duties of his office the county revenue commissioner shall receive an annual salary of \$10,500, payable in equal monthly installments out of the general fund of the county.

Section 7. The offices of tax assessor and tax collector of Dale County are hereby abolished effective the first day of October 1973.

Section 8. It is the purpose of this Act to conserve revenue and promote the public convenience in Dale County by consolidating the offices of tax assessor and tax collector into one office.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this Act are repealed.

Section 11. This act shall become effective on the first day of the month next following the month in which an amendment to the Constitution of Alabama authorizing the legislature to combine such offices is ratified and proclaimed as prescribed by law.

### THE SOUTHERN STAR OZARK, ALABAMA

#### STATE OF ALABAMA DALE COUNTY.

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on July 22, July 29, Aug. 5, and Aug. 12, 1971.

JOSEPH H. ADAMS,  
(Publisher).

Sworn to and subscribed before me on this the 19th day of August, 1971.

CELESTE A. WOODS,  
(Notary Public).

## REPORTS OF COMMITTEES

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Horne, Wilder and Foshee:

S. 1009. To amend Act No. 470 Regular Session of 1969, Vol. 1, page, 912, so as to exempt state institutions of higher learning under the control of boards of trustees from having to secure approval of the Governor for out-of-state travel.

By Messrs. Lindsey, O'Bannon, Lybrand, Harris, Fine, Pierce and Edington:

S. 1133. To amend Title 22, Section 258, Code of Alabama 1940; to provide for the penalty for possession of any marijuana, cannabis Americana, or cannabis Indica, or any compound or mixture containing any marijuana, cannabis Americana or cannabis Indica, or any derivative therefrom or thereof or synthetic equivalents of the substances contained in the plant, or in the resinous extractives of cannabis or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as tetrahydrocannabinol and its optical isomers, or any cigar or cigarettes made of or containing any marijuana, cannabis Americana or cannabis Indica or such synthetic equivalents or derivatives.

By Messrs. McDonald, St. John and Drake:

H. 130. To allow prospective jurors to be excused without the presence of the defendant in the Twenty-Seventh Judicial Circuit of Alabama, the Seventh Judicial Circuit of Alabama and the Thirty-second Judicial Circuit of Alabama.

By Messrs. McDonald, St. John and Drake:

H. 131. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-seventh judicial circuit, the seventh judicial circuit of Alabama and the thirty-Second judicial circuit of Alabama.

By Messrs. McDonald, St. John and Drake:

H. 132. To abolish the drawing of special venires in capital cases in the Twenty-Seventh Judicial Circuit of Alabama, the Thirty-Second Judicial Circuit of Alabama.

By Messrs. McDonald, St. John and Drake:

H. 133. Relating to judicial procedure; regulating and providing further for the separation of the jury by consent in capital or non-capital felony cases in such circuit.

By Mr. Hill:

H. 339. To repeal Section 107 of Title 15, and Section 220 of Title 29, Code of Alabama 1940, both of which relate to the time of executing search warrants.

By Mr. Hill, et al:

H. 349. To authorize and empower the Supreme Court of Alabama to adopt a new system of rules, and to make future changes therein, to



govern procedure in appeals to the Supreme Court of Alabama, to the Court of Civil Appeals of Alabama, and to the Court of Criminal Appeals of Alabama for review or enforcement of judgments, orders, and decrees of other courts of the State of Alabama and of orders of administrative agencies, boards, commissions, and officers of the State of Alabama; and in applications for writs or other relief which the Supreme Court or either of said courts of appeals, or a judge of any of said three courts, is authorized to give; to repeal all legislation inconsistent with such rules from and after the effective date of such new system of rules when adopted by the Supreme Court of Alabama as authorized by this Act insofar as such legislation shall be in conflict with such new system of rules.

By Mr. Hobbie, et al:

H. 367. To amend Act No. 999 approved September 12, 1969 (Acts of Alabama 1969, Pages 1855-1866); to establish the Alabama Peace Officers Annuity and Benefits Fund; to redefine certain words and terms; to clarify the organization, operation and powers of the Board, the eligibility of members, and court cost to be imposed; to more clearly state retirement, disability, and death benefits; to provide for an actuarial study, refunds, credit for military service and to repeal all laws in conflict herewith.

By Mr. Cauthen, et al:

H. 664. To propose an amendment to the Constitution of Alabama to abolish justices of the peace.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Cauthen, et al:

H. 665. To abolish the jurisdiction of justices of the peace and notaries public ex officio justices of the peace elected or appointed for any precinct in Alabama in criminal and quasi-criminal cases.

By Mr. Lutz, et al:

H. 806. To provide a form indictment to charge the crime of possession, transportation, delivery, sale, offering for sale, facilitating the sale of, bartering, or giving away any heroin.

By Mr. Lutz, et al:

H. 807. To provide a form indictment to charge the crime of selling, transporting, delivering, offering to sell, bartering, furnishing or giving away marijuana.

By Mr. Lutz, et al:

H. 808. To establish a form indictment to charge the crime of illegal sale, delivery or other illegal disposition of depressant or stimulant drugs.

By Mr. Lutz, et al:

H. 809. To provide a form indictment to charge the crime of possession, transportation, delivery, sale, offering for sale, bartering, or giving away any drug, compound, or narcotic, the possession, transportation, delivery, sale, offering for sale, bartering, or giving away of which is prohibited by Alabama law as prescribed by Code of Alabama, Title 22, Chapters 8, 8A, 8B, 9, 9A, 9B, 9C, and 9D.

By Mr. Cauthen:

H. 825. To repeal Code of Alabama 1940, Title 11, Sections 96 and 97, both of which relate to fees of justices of the peace.

Mr. Horne, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McBride, et al:

H. 95. To provide that the county boards of education shall have the power to establish and maintain kindergartens and playgrounds for children within their jurisdiction.

By Mr. Grainger:

H. 111. To authorize county or city boards of education to grant certain leaves to teachers.

By Mr. Grainger:

H. 112. To amend Title 52, Section 73 of the Code of Alabama of 1940: to provide that the county board of education shall adopt written policies with regard to education and to provide that such written policies shall be made available to all employees of the board.

By Mr. Grainger:

H. 114. To amend Title 52, Section 166 of the Code of Alabama of 1940; to provide that the city board of education shall adopt written policies with regard to education and to provide that such written policies shall be made available to all employees of the board.

Mr. Horne, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Coshatt, et al (with amendment):

H. 305. Establishing, providing for appointment to and operation of Board of Radiologic Technologists Examiners; to provide for educational and training qualification standards for radiologic technologists; to provide for examination and licensing of and annulment or revocation of licenses of radiologic technologists; providing for the enforcement of this Act; providing for and prescribing penalties and fees.

Mr. Horne, Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cherner, et al:

H. 494. Relating to certain schools, operating in this State; to require any person or other organization who operates such school or publicizes or offers for sale any course of study or course of instruction in this State to obtain a license from the State Department of Education for the operation of such school or the solicitation of students for such school; providing exceptions for the application of this act; providing for the issuance of permits by the Alabama State Board of Education;

authorizing the Alabama State Board of Education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from decisions of the Alabama State Board of Education and providing penalties for violations.

By Mr. Cauthen, et al:

H. 573. To amend Section 3 of Act No. 93, H-57, Acts of Alabama 1971, Special Session (effective May 11, 1971) by further providing for the expulsion of any pupil attending any public school in this state who assaults, threatens with bodily harm or unlawfully intimidates another pupil attending the same school.

By Mr. Merrill:

H. 1028. To validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of any such tax in the consolidated district resulting from such consolidation.

By Mr. McDonald, et al:

H. 1224. To amend the title and Sections 1, 2, 3, 4, 5, 6, 8 and 10 of Act No. 14, H. 5, Special Session 1969 (Acts 1969-1970, p. 28), an act to establish the Alabama Commission of Higher Education, so as to change the name of said commission to the Alabama Commission on Higher Education, and to make certain other changes.

By Messrs. Horne and Clark:

S. 379. To further amend Section 301 of Title 52 of the Code of Alabama 1940, as amended, which relates to children exempt from public school.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 1002. To further provide for the administration of Sections 1901 through 1908 of the Federal Social Security Act by the State Health Department.

By Mr. Littleton:

S. 513. To amend Act No. 867, Regular Session of 1965, an Act creating the Board of Nursing.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan:

S. 933. To provide for the regulation of the custom application of pesticides by aircraft and ground equipment; to require persons engaging in such work for compensation to be licensed by the Commissioner of

Agriculture and Industries, fixing the license fees and prescribing other requirements for persons engaging in such work including the filing of a bond or a liability insurance policy; to empower the Commissioner of Agriculture and Industries to administer and enforce the requirements of this Act, prescribing his duties and authority, and to authorize the adoption of rules and regulations in connection therewith together with other regulatory requirements; to provide for exemptions from the requirements of this Act; and to provide enforcement provisions and penalties for violations of this Act.

Mr. Gilmore, Chairman of the Standing Committee on County Government, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Gilmore and Jones:

S. 1080. Authorizing and empowering the Court of County Commissions or other county governing body to divide or redivide the County into Commission Districts and to otherwise provide for the qualifications and election of the members of the Commission.

Mr. Gilmore, Chairman of the Standing Committee on County Government, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Gilmore and Jones (with amendment):

S. 1081. Proposing an amendment to the Constitution of Alabama permitting the Legislature to place the sheriffs of the several counties in this State on a salary basis of compensation; providing for the disposition of certain fees, commissions, allowances, expenses, charges and Court costs previously collectible for the use of the sheriffs and directing and authorizing the County governing body to furnish the sheriff with the necessary financial support, supplies and employees to operate his office.

The above Bill was read a second time at length as required by the Constitution.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cooper and Foshee (with amendment):

S. 1143. To provide and create an independent corporate governmental agency which may purchase existing mortgages from financial institutions within the State of Alabama and direct the proceeds from the liquidated mortgage investments into new mortgages on residential real property; and to vest such corporation with all powers, authorities, rights, and privileges necessary to enable it to accomplish its purpose.

By Messrs. Therrell and Jones (F) (with amendment):

H. 221. Creating a bureau of credit unions, the position of supervisor of the bureau of credit unions and a credit union board; providing for the qualifications, duties and responsibilities of the bureau, the supervisor and the board members; and further providing for the examination and supervision of credit unions by the bureau and for the expenses of operating the bureau.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Jones, Branyon, Vacca, Carr, Pierce, Wilder, Dozier, Bailes, Horne, Shelby and Gilmore:

S. 368. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

By Messrs. Jones, Branyon, Vacca, Carr, Pierce, Wilder, Dozier, Bailes, Horne, Shelby and Gilmore:

S. 367. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

By Mr. Hammond:

S. 1071. To amend Act 493, House 765, Acts of Alabama, 1969, enacted at the 1969 Regular Session of the Legislature of Alabama, to provide for the leasing of heavy duty off-highway construction equipment including the machinery used for grading, drainage; road construction and compaction for the exclusive use of County and municipalities, highways, streets and sanitation departments by the County Board of Revenue, or other similar County governing bodies, the governing bodies of municipalities of the State, and the governing board of instrumentalities of county and municipalities, relative to exemption from the competitive bidding and expenditure of public funds.

By Messrs. Gilmore, Branyon, Cook, Dozier, Foshee, Fine, Pierce and Hawkins:

S. 799. Relating to consumer protection: To prohibit certain types of sales practices and schemes for the benefit and protection of purchasers or consumers; providing certain consumer protection rights and requirements; to provide for the administration and enforcement of this Act and other consumer protection laws; and, to provide penalties for violations of this Act.

By Messrs. Register, Givhan and Clark:

S. 1134. Relating to taxation: Exempting nuclear fuel assemblies together with the nuclear material contained therein and other fissionable, fusible or nuclear materials used or useful in the production of electricity by persons regularly engaged in furnishing electricity to another person or other persons from state, county and municipal taxes, licenses, fees and excises.

By Mr. King:

S. 963. To be known as the Alabama Limited Partnership Act, relating to the law of limited partnerships and limited partnership property, including with respect thereto definition of terms, rules of construction, rules for cases not provided for in this Act, provisions for existing limited partnerships, definition of limited partnerships, formation, business which may be carried on, character of limited partner's contribution, limited partnership name, liability for false statements in certificate, limited partner not liable to creditors, limited partner shall not act as agent, admission of additional limited partners, rights, powers and liabilities of a general partner, rights of a limited partner, status of person erroneously believing himself a limited partner, one person both general and limited partner, loans and other business transactions with limited partner, relation of limited partners inter se, compensation of limited partner, withdrawal or reduction of limited partner's contribution, liability of limited partner to partnership, nature of limited partner's interest in partnership, assignment of limited partner's interest, effect of retirement, death, insanity or mental incapacity of a general partner, death of a limited partner, the rights of creditors of limited partners, distribution of assets, when certificate shall be cancelled or amended, requirements for amendment and for cancellation of certificate, parties to actions; to repeal Sections 6-27, both inclusive, Title 43, Code of Alabama 1940, and all acts amendatory thereof, except as affecting existing limited partnerships to the extent set forth in Section 5 of this Act, and other inconsistent legislation.

By Mr. Cook:

S. 865. To amend Section 301 (16) B of Title 48, Code of Alabama (1940), fixing the amount of the collect-on-delivery bond to be filed with the Commission by certain carriers.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cook (with substitute):

S. 864. To amend further Section 12 of Title 48, Code of Alabama, (1940), which fixes the compensation of the president and associate members of the Alabama Public Service Commission, and to provide retirement payments for members of the Alabama Public Service Commission.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cook:

S. 863. To amend Section 76 of Title 48, Code of Alabama (1940), to specify a time within which a party may apply for a rehearing before the Commission.

By Mr. Cook:

S. 860. To amend Section 301 (17) F. of Title 48, Code of Alabama (1940), which places the burden of proof upon the carrier when proposing a change in any rate, fare, charge or classification, rule, regulation or practice.

By Mr. Cook:

S. 859. To provide that members of the Enforcement Division of the Public Service Commission designated in writing by the Public Service Commission shall have the powers of peace officers in this State and may exercise such powers anywhere within the State.

By Mr. Fite:

H. 584. To authorize the County Commissions of the several counties to appoint a County Engineer or a Chief Engineer of the Division of Public Roads to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation of the salary of said Engineer.

By Mr. Williams:

H. 1383. To amend Section 5, of Act No. 643, H. 854, Regular Session, 1967 (Acts of Alabama 1967, Page 1455) approved September 8, 1967, entitled "An Act providing for the regulation of junkyards along the interstate and primary systems; restricting location; licensing; screening; acquisition; penalties."

By Messrs. Therrell and Jones (F):

H. 223. Amending Code of Alabama 1940, Title 28, Sections 291, 297, and 298, all of which relate to the business of credit unions, so as to provide further for the approval and making of loans by credit unions and for reserve funds and dividends of credit unions.

By Mr. Owens, et al:

H. 881. To provide a Uniform Standards Code for the protection of life and property.

By Mr. Parker (H.), et al:

H. 368. To amend Section 12(2), Title 51, Code of Alabama 1940, Recompiled 1958, relating to tax on non-profit associations.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones (F) (with amendment):

H. 262. To provide a Uniform Standards Code for the construction of Mobile Homes to be sold within this State; prescribing certain licenses and the fees therefor; providing for the administration and enforcement of the provisions of this Act; prescribing penalties for the violation of the provisions hereof.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jones (F):

H. 169. Relating to Water Safety and other divisions of the Department of Conservation granting additional powers to the law enforcement personnel of said divisions.

Mr. Lindsey, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Weeks and Bowers:

H. 856. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans preference therein provided to persons who have ever served honorably in the armed forces of the United States at any time, and under certain conditions to the wives and widows of persons who served honorably during this period.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fine:

S. 1046. To provide for and require reidentification of the registered electors of Marion County; imposing duties upon the board of registrars and other county officers, and upon the electors whose names appear on lists of qualified voters, prescribing penalties.

By Mr. Pelham:

S. 1056. To propose an amendment to the Constitution of Alabama relative to the effect of school laws and provisions of the Constitution relating to education in Mobile County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. McLain:

S. 1083. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

By Mr. McLain:

S. 1084. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

By Mr. McLain:

S. 1085. To provide, in any county of the State of Alabama having a population of not less than 175,000 nor more than 300,000, according to the last Federal Decennial Census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate



coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation, and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

By Mr. McLain:

S. 1086. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last federal decennial census.

By Mr. McLain:

S. 1087. To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

By Mr. McLain:

S. 1088. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

By Mr. McLain:

S. 1090. Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

By Mr. McLain:

S. 1091. To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census.

By Mr. Malone:

S. 1092. Relating to the residence of employees of municipalities having a population of not less than 50,000 nor more than 60,000, according to the most recent federal decennial census.

By Mr. Lybrand:

S. 1094. To amend the title and Section 1.01 of Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits the adoption of the council-manager form of municipal government, provides for the calling and holding of elections to vote thereon, provides for the election, terms of office, qualification numbers, powers, and authority of the council, mayor, and the city clerk, provides for the appointment and removal and defines the powers of the city manager defines the legal status, form of government and powers of the city, provides for an annual budget, creates and defines the powers and duties of a department of finance and the director thereof, regulates purchases and contracts of the city, to set up terms and effects of succession in government in said city, provides for the establishment of wards, and provides for the means of abandoning the council manager form of government in certain cities classified on a population basis.

By Mr. Lybrand:

S. 1095. To amend the title of Act No. 283, H. 981, Regular Session 1969 (Acts 1969, p. 619), which validates certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts 1953, p. 472), and which amends said Act No. 404 so as to provide further for notice required of the election of the first council after a city elects this form of government, and provides for holding and conducting the elections of the first and subsequent city council in certain cities classified on a population basis.

By Mr. Lybrand:

S. 1096. To amend the title and Section 1 of Act No. 806, H. 1267, Regular Session 1965 (Acts 1965, p. 1507), which provides for the introduction of hospital records from any hospital organized and operated under state laws as evidence in any court in Alabama, provides for the certifying of said records, enumerates such matters as shall affect the weight of said evidence in the courts, provides for the cost and taxing thereof for such copy and for the filing of said copy, and provides for subpoena duces tecum thereof in certain counties classified on a population basis.

By Mr. Lybrand:

S. 1097. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

By Mr. Lybrand:

S. 1098. To amend the title and Section 1 of Act No. 154, H. 746, Regular Session 1965 (Acts 1965, p. 218), as last amended, which creates the office of commissioner of licenses, prescribes the powers, duties, and authority of such office, fixes the salary, furnishes quarters, supplies and assistants, and provides for the appointment of such commissioner, transfers certain of the duties of the probate judge relating to licenses to such officer, certain of the duties of the tax assessor and tax collector, and all of the duties of the license inspector in certain counties classified on a population basis.

By Mr. Lybrand:

S. 1099. To amend the title and Section 1 of Act No. 99, S. 34, Second Special Session 1963 (Acts 1963, p. 278), which regulates further the method of summoning jurors in certain counties classified on a population basis.

By Mr. Lybrand:

S. 1100. To amend the title and Section 1 of Act No. 826, S. 405, Regular Session 1965 (Acts 1965, p. 1548), which relates to admissibility of evidence in civil actions in the courts of certain counties classified on a population basis, requires copies to be furnished of written statements taken with respect to accidents about which civil actions may be filed to the person making such statements, and prescribes the effect of failure to furnish such copies as are required in certain counties classified on a population basis.

By Mr. Lybrand:

S. 1101. To amend the title and Section 1 of Act No. 33, H. 7, First Special Session 1963 (Acts 1963, p. 107), which authorizes, provides for the licensing of, and regulates the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds, prescribes the fees for such licenses, provides for their collection and distribution, and prescribes penalties for violation of said Act, in certain counties classified on a population basis.

By Mr. Wilson:

S. 1103. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

By Mr. Wilson:

S. 1106. To amend the Title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. I, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Harris (with amendment):

S. 1108. To apply only to counties having a population of not less than 39,500 nor more than 41,000, according to the most recent federal decennial census; awarding to certain municipalities in such counties a portion of fines and forfeitures accruing from arrests within their police jurisdiction.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harris:

S. 1109. To apply only in counties having populations of not less than 75,000 nor more than 90,000; providing an expense allowance for the chairman or president and members of the county commission, or other like governing body of the county.

By Mr. O'Bannon:

S. 1110. Amending Act No. 242, 1969 Regular Session approved July 29, 1969, providing for the compensation of the Assistant District Attorney of the 31st Judicial Circuit.

By Mr. O'Bannon:

S. 1111. Relating to all counties having a population of not less than 65,000 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census; providing for the submission to the qualified voters of Lauderdale County the question of whether or not an annual license tax and registration fee shall be levied in the amount of 75¢ upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by any individual who is a resident of Lauderdale County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Lauderdale County; providing for the calling, giving of notice, holding, conducting, canvassing and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and counties and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Lauderdale County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration; prohibiting any motor vehicle from using the public highways of Lauderdale County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of promoting the industrial expansion and development of Lauderdale County or payment of principal or interest on any obligation or indebtedness incurred for such purpose, and repealing all laws in conflict therewith.

By Mr. Weaver (with notice and proof):

S. 1113. Relating to Talladega County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

By Mr. Wilson:

S. 1115. To provide for an increase in salary for the janitors employed at the County Courthouse in all counties having a population of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census.

By Mr. Lybrand:

S. 1118. To amend the title and Sections 1, 3, and 4 and to repeal Section 2 of Act No. 135, H. 117, Special Session 1967 (Acts 1967, p. 185), which provides for the appointment, equipment, training and compensation of deputies, aides and assistants of the sheriff of certain counties classified on a population basis.

By Mr. Lybrand:

S. 1119. To amend the title and Sections 1, 3 and 4 (b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

By Mr. Lybrand:

S. 1120. To amend the title and Section 1 of Act No. 692, H. 954, Regular Session 1967 (Acts 1967, p. 1518), which provides an additional expense allowance for the sheriff of certain counties classified on a population basis.

By Mr. O'Bannon:

S. 1121. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census, to create a Civil Service Board in said counties to assure the more efficient operation of the Sheriff's Department; to provide for the composition, powers, duties, and compensation for such boards; and to establish certain employee management policies for the Sheriff's Department in said counties.

By Mr. Lybrand:

S. 1122. To amend the title and Section 1 of Act No. 185, H. 368, Regular Session 1961 (Acts 1961, p. 227), which provides for and authorizes clerk hire allowances for certain officials in certain counties on a population basis.

By Mr. Branyon:

S. 1124. To create and provide for a county court in counties having a population of not more than 10,660, according to the most recent federal decennial census.

By Mr. Carr (with notice and proof):

S. 1129. Relating to Marshall County; providing for the operation of cemeteries; Requiring individuals, corporations, partnerships or governmental bodies which may now or at any future date own, lease, operate or maintain a cemetery in Marshall County.

By Mr. Cooper:

S. 1130. To repeal Act No. 689, S. 429, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1283), entitled, "An Act To authorize the Director of Conservation to open a season in counties having a population of not less than 18,000 nor more than 19,400 for the hunting of female deer or unantlered male deer."

By Mr. Cooper:

S. 1131. To repeal Act No. 79, S. 60, approved July 9, 1962, Special Session 1962 (Acts 1962, p. 101), entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

By Mr. Owen:

S. 1132. Relating to counties having populations of not less than 57,000 nor more than 61,000; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

By Mr. McLain:

S. 1136. Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

By Mr. Dozier:

S. 1137. To repeal Act No. 16, H. 2, approved March 18, 1963, First Special Session 1963 (Acts 1963, p. 85), entitled "An Act To fix the compensation of deputy solicitors of counties having populations of not less than 12,500 nor more than 13,500 and providing for payment thereof from the county treasury."

By Mr. Dozier:

S. 1138. To amend the title and Section 1 of Act No. 58, S. 121, Special Session 1964 (Acts 1964, p. 78) which authorizes the licensing and regulation of hunting on certain hunting preserves, prescribes fees for such licenses, provides for collection and distribution thereof, and prescribes penalties for violations, in certain counties classified on a population basis.

By Mr. Dozier:

S. 1139. To amend the title and Section 1 of Act No. 1244, H. 1545, Regular Session 1969 (Acts 1969, p. 2345) which provides further for certain fees allowed to judges of probate, in certain counties classified on a population basis.

By Mr. Dozier:

S. 1140. To repeal Act No. 63, H. 5, approved August 24, 1964, Special Session 1964 (Acts 1964, p. 85), entitled, "An Act To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers."

By Mr. Dozier:

S. 1141. To amend the title and Section 1 of Act No. 1235, H. 1526, Regular Session 1969 (Acts 1969, p. 2333) which fixes the compensation of the deputy district attorney and provides for payment thereof from the county treasury, in certain counties classified on a population basis.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dominick:

S. 1050. Relating to the powers of counties having populations of 600,000 or more according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Parker, et al (with substitute):

H. 78. Relating to cities having populations of 300,000 or more; to regulate the power and authority of such cities to levy or impose privilege license taxes on employees working for wages, salaries or other compensation in such cities.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Doss, et al:

H. 971. To amend Act No. 96, H. 490 of the Regular Session of 1965, which establishes an inferior court in Jefferson County to be known as the Civil Court of Jefferson County (Acts Regular Session of 1965, p. 131), so as to provide further for the service of the summons and processes of the court by authorizing such service by any of the constables or his duly authorized deputy, of Jefferson County; and for such purpose amending Sections 17 and 21 of said Act.

By Mr. Wallace, et al:

H. 1079. To provide, subject to the conditions and qualifications stated in this Act, that the city board of education of every city of the State having a population of 300,000 or more, according to the last or any subsequent Federal census shall adopt a resolution providing for certain classes of employees of such board of education, particularly described in this Act, to participate in the State Employees' Retirement System of Alabama, established by Chapter 17, Title 55, Code of Alabama of 1940, as amended, subject to the approval of Board of Control, established by Section 461, Title 55, Code of Alabama of 1940; to provide that the said employees of said city board of education shall participate in the said State Employees' Retirement System, in accordance with said resolution, subject to the terms, conditions and provisions prescribed in this Act and in Section 467, Title 55, Code of Alabama of 1940, as heretofore or hereafter amended, except to the extent that this Act modifies said Section 467; and to provide that the said resolution shall not apply to any employees of the city board who prior to the date prescribed for the adoption of such resolution become entitled to participate in the Teachers' Retirement System established by Chapter 14, Title 52, Code of Alabama of 1940, as amended.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cook (with substitute):

S. 240. To Repeal Act No. 1178 of the Regular Session of 1969 (Acts of Alabama, 1969 Regular Session, Vol. III, p. 2206) relating to zoning in counties having a population of 400,000 or more.

Mr. Cooper, Chairman of the Standing Committee on Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 544. To amend Section 2 of Act No. 613, Section 190, Regular Session 1969 (Acts of 1969, p. 1119), relating to the prohibition of feeding garbage to swine by exempting the Board of Corrections and State Mental Health Board from the provisions of the Act.

Mr. Branyon, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Connell, et al:

H. 991. To further amend Section 10 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963 (Acts of 1963, Vol. 2, p. 931), as amended by Act No. 118, H. 35, Legislature of 1965, approved September 30, 1965 (Acts of 1965, 2nd and 3rd Spec. Sessions, p. 163) an Act regulating the labeling, sale, offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds; amending Section 10 of said Act, as amended, which relates to the annual permit and permit fee required to be paid for the sale, offering for sale, distribution and processing of agricultural, vegetable, herb, tree, shrub or flower seeds.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Jones (F) and Therrell (with amendment):

H. 264. Amending Code of Alabama 1940, Title 28, Sections 285, 293 and 295, all of which relate to credit unions, so as to provide further for lending by such unions, for investments by such unions, for collection by such unions of entrance fees and for loans to officials of the union.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Grainger, et al:

H. 799. To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 574, Regular Session, 1965, as amended.

By Messrs. Culver and Smith (P):

H. 1245. To amend Section 8 of Act No. 434, H. 706, Legislature of 1969, Regular Session, approved August 19, 1969 (Acts of 1969, p. 840), an Act to regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances by amending said Section 8 of said Act to authorize the State Board of Agriculture and Industries to pro-



vide an alternate method of payment of the per ton inspection fee levied upon the sale of commercial fertilizers sold in Alabama or sold for importation and use therein.

By Mr. Cook:

S. 862. To amend Section 301 (2a), Code of Alabama (1940), excluding certain carriers from the operation and provision of Title 48, Section 301.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Harris and Lybrand (with substitute):

S. 868. To amend Sections 2 and 6 of Act Number 771 H. 796 Regular Session, 1969 (Acts 1969-70 page 1373) an act to provide for the control and disposal of solid wastes so as to provide the method of obtaining an exemption and to provide a penalty for failing to pay fees and charges and rates for providing services.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Drake:

H. 2062. To amend Section 2 of Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama, as amended, so as to increase the rate of the tax levied in said act to nine cents per gallon.

By Messrs. St. John and Drake:

H. 220. To amend Act No. 1122, S. 408, Legislature of 1969, Regular Session, (Acts of Alabama, 1969 and 1970, Vol. III, P. 2077) which makes an appropriation to the Agricultural Center Board for agricultural fairs by amending Sections 11 and 13 of said Act relating to payments of special merit awards and the per diem and travel allowance of the special awards committee for fairs.

By Mr. Harris, et al:

H. 267. To make a supplemental appropriation to the Board for Registration of Architects for the fiscal year ending September 30, 1971.

By Messrs. Drake, Mathews and Merrill:

H. 284. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1972 and September 30, 1973, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

By Mr. Parker (T):

H. 317. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for special investigators, investigations, travel and other necessary expenses incurred in investigations and enforcement of the law.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Turnham (with amendment):

H. 324. To amend Act No. 755, H. 49, Regular Session 1967, approved September 8, 1967 (Acts, 1967, p. 1609) which relates to supernumerary tax collectors, tax assessors, license commissioners, or other elected officials charged with the assessment and/or collection of ad valorem taxes in the various counties of the State; amending such Act relative to the required prior service, and to prescribe repayment of contributions in certain instances.

By Mr. McCorquodale, et al (with amendment):

H. 451. To amend Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on oil, gas and other hydrocarbons, so as to preclude counties and municipalities in the State from levying any tax, license or other charge or fee other than ad valorem taxes on the production, treating, processing, ownership, selling, buying, storing or marketing of oil or gas or on the operation or maintenance of any plant, facility or any equipment necessary or convenient to the production, treating, processing, ownership, storage, sale, purchase, marketing or transportation of oil or gas produced in the State of Alabama; to authorize and provide for the payment to counties and municipalities in which oil or gas wells are located of a portion of the severance tax levied by said Act No. 2; and to repeal laws in conflict herewith.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hobbie, et al:

H. 506. To amend further Section 1 of Act No. 47, Special Session 1961, (Acts 1961, p. 1904) as amended, which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to the Elks Memorial Center.

By Mr. Cherner:

H. 790. Authorizing a special referendum to determine the classification of counties as wet or dry counties, which would provide a series of special rules governing the sale of alcoholic beverages in wet counties in addition to those provided in the general law.

By Mr. Robertson, et al:

H. 1073. For the relief of Vera Waldrop, making an appropriation of Mental Health Department Funds from the State Treasury to compensate her for personal injuries suffered while she was engaged in the performance of assigned duties as an attendant at Partlow School of the Alabama Mental Health Department.

By Mr. Mathews:

H. 1235. To make additional appropriations to the Board of Corrections for the fiscal year ending September 30, 1971.

By Mr. Culver, et al:

H. 406. To provide further for the disposition and use of the profits, including all taxes levied upon the selling price of spirituous or vinous liquors and certain taxes on malt and brewed beverages; amending Act No. 255, H. 313 Regular Session of 1943 (General Acts 1943, p. 226) and Act No. 92, H. 101, Second Special Session of 1963 (Acts, Second Special Session 1963, p. 257) and repealing Code of Alabama 1940, Title 29, Sections 10 and 11 and all other laws in conflict herewith.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McCorquodale, et al (with amendment):

H. 2080. Relating to ad valorem taxation; providing for the classifications of property for purposes of taxation; and fixing percentages of fair and reasonable market value of the property in the several classes at which such property shall be valued and taxes thereon assessed.

By Mr. McCorquodale, et al (with amendment):

H. 2079. Proposing an amendment to Article XI, Section 217, of the Constitution of Alabama 1901 relative to ad valorem taxation; establishing a classification system of property taxation; fixing assessment rates for each class of property.

The above bill was read a second time at length as required by the Constitution.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilson:

S. 1048. To make an appropriation from the Alabama special educational trust fund in the state treasury to the use of the George C. Wallace State Trade School.

By Mr. Wilson:

S. 1049. To make an appropriation from the Alabama special educational trust fund in the state treasury for the use and benefit of Walker County State Trade School.

By Mr. Wilson:

S. 1105. To provide that involuntary leaves of absence without pay shall, under the Alabama Merit System created by Act No. 5, S. 44 of the 1939 Regular Session (Acts 1939 p. 68), be considered to be dismissals and subject to the provisions of Section 24 of said Act.

By Mr. Pelham:

S. 1057. To provide for holding a state-wide advisory referendum election at which there shall be referred to the electorate for advice concerning freedom of choice in public schools.

By Mr. Clark:

S. 256. To amend Title 13, Section 241, Code of Alabama, 1940, pertaining to expenses of district attorneys outside of their home counties.

By Mr. Hammond:

S. 1039. To amend further Act No. 672, S. 99 of the Regular Session of 1965 (Acts 1965, p. 1208), which is known as The Farmers Market Authority Act.

By Mr. Owen:

S. 1032. To provide an appropriation to the Alabama Forestry Commission for the purchase of land needed to expand existing forest tree seedling nursery.

By Mr. Owen:

S. 1031. To provide an appropriation to the Alabama Forestry Commission for the purchase of land and the construction of various facilities.

By Mr. Fine:

S. 917. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census; to authorize the court of county commissioners, board of revenue or other like governing body to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation out of funds accruing from the motor vehicle and trailer license taxes; and directing the probate judge to withhold each year \$15,000 from the first moneys collected from the motor vehicle and trailer license taxes to be used for this purpose.

By Mr. Fine:

S. 926. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, whose roads and bridges are constructed, maintained and repaired by the state highway department; authorizing and providing for the deduction and withholding by the judge of probate of any such county of a prescribed amount of the first moneys accruing from that part of the motor vehicle and trailer license taxes allocated to the county when such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

By Mr. Malone:

S. 503. To provide funds for the operation of the Alabama Association of Rescue Squads, Inc., an Alabama Non-Profit Eleemosynary Corporation, To the end that its services may be expanded to better serve the people of Alabama by providing said funds to be used in the hiring of a full-time personnel, purchasing of equipment and operating funds.

#### BILLS REPORTED AND RE-REFERRED

Mr. Harris, Chairman of the Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following Bills, H. B.'s 692, 269, 1736, and S. B. 262, and ordered same returned to the Senate with the recommendation that they be re-referred to the Standing Committee on Finance and Taxation.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 692, 269, 1736, and S. B. 262, re-referred to the Standing Committee on Finance and Taxation.

## MOTION TO RECONSIDER

Mr. Clark moved that the Senate reconsider the vote by which the Bill:

S. 79. To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 574, Regular Session, 1965, as amended.

as amended, was passed by the Senate on the Twenty-eighth Legislative Day.

Mr. Wilder moved that the motion to reconsider be postponed until the Thirty-third Legislative Day. Mr. Carr moved that the motion to postpone be laid on the table, and the motion to table was lost.

Yeas 14; Nays 17.

Yeas:

Messrs.:	Edington	Hawkins	Pierce	
Bailes	Fine	Jones	Shelby	
Carr	Gilmore	King	Vacca	
Dominick	Hammond	O'Bannon		—14

Nays:

Messrs.:	Givhan	Malone	Register	
Clark	Harris	Noonan	Weaver	
Cooper	Lindsey	Owen	Wilder	
Dozier	Littleton	Pelham	Wilson	
Foshee	Lybrand			—17

The question was then on the motion of Mr. Wilder that Mr. Clark's motion to reconsider the vote by which the Bill, S. B. 79, as amended, was passed be postponed until the Thirty-third Legislative Day.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 198. To provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies, and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the in-

surance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes.

JOHN W. PEMBERTON,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 815. To amend the provisions of Title 22, Sections 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, and 231, Code of Alabama, 1940, as amended, to change the name of the state agency created by the Legislature; to stabilize and regulate the milk industry in Alabama; to change the composition of the Alabama Dairy Commission to be a commission made up of five voting members, four of whom to be persons with no direct or indirect interest in the milk business and the Commissioner of Agriculture and Industries; to invest the dairy commission with power to employ services of economists, accountants, and other experts to assist the commission in carrying out its function; to invest the commission with the power to require distributors, producer-distributors, dealers, processors, or handlers to post sufficient bond to protect producers and producer payrolls from insolvency of distributors, producer-distributors, dealers, processors, or handlers, or default by said distributors, producer-distributors, dealers, processors, or handlers in making payment for milk received; to require distributors, producer-distributors, dealers, processors, and handlers to make a full and complete accounting to producers, of all milk received, from all sources, including a complete fat and skim accounting; to require the commission to conduct cost studies and prepare findings of fact before fixing the prices for hauling, transporting, bottling, packaging, distributing, processing, and marketing milk; to invest the commission with the power to fix by economic formula prices to be paid producers and producer associations for milk sold in the State of Alabama.

Also:

H. 471. To further amend Code of Alabama 1940, Title 51, Section 348, as amended, which relates to the levying of a franchise tax on foreign corporations.

Also:

H. 501. To amend Act No. 168 (H. 270) Special Session of 1966, as amended, (Article 8A, Title 55, Code of Alabama as Recompiled and Amended) relating to the Alabama Historical Commission by increasing the Commission membership from fifteen to eighteen persons, by increasing the powers and duties of said Commission and by establishing a state depository for historic items.

JOHN W. PEMBERTON,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

## FURTHER CONSIDERATION OF S. B. 79

The Senate proceeded to further consideration of the Bill, S. B. 79, as amended.

The question was on the motion of Mr. Wilder that further consideration of the motion to reconsider be postponed until the Thirty-third Legislative Day.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Snell:

H. 764. To amend the title and Sections 1, 2 and 3 of Act No. 337, H. 704, Regular Session 1969 (Acts 1969, p. 709), which Act regulates and provides for the compensation of certain officers and provides for the operation of their offices in certain counties on a population basis, amending such Act relative to the population of the counties in which it applies and the amount of the compensation and clerk hire allowances.

Also:

By Messrs. McCorquodale, Easters, Pruitt, Grainger, Williams and Stubbs:

H. 1812. To amend Title 51, Section 176, Code of Alabama 1940, as amended, to increase the amount of the license and to reduce the assessment percentages.

Also:

By Messrs. Williams, Easters, Stubbs, Turner, Downing and Drake:

H. 1811. To amend Title 51, Section 177, Code of Alabama 1940, as amended, to increase the rate of taxation.

Also:

By Messrs. Williams, Easters, Stubbs, Turner, Downing and Drake:

H. 1810. To amend Title 51, Section 178, Code of Alabama 1940, as amended, to increase rate of taxation.

Also:

By Messrs. Turner, Williams, Grainger, Drake and Robertson:

H. 1809. To amend Title 51, Section 182, as amended, Code of Alabama 1940, as amended, to delete the exemption of the first \$50,000.00 from taxation.

Also:

By Messrs. McCorquodale, Pruitt, Downing, Easters, Grainger, Williams and Stubbs:

H. 1813. To amend Title 51, Section 910, Code of Alabama of 1940, to provide for the further distribution of certain revenues as collected by the Department of Revenue.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 764. To the Committee on Local Legislation No. 1.

H. B.'s 1812, 1811, 1810, 1809 and 1813. To the Committee on Finance and Taxation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Jones (F):

H. 2338. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16N, Range 18 E, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

#### STATE OF ALABAMA MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 N, Range 18 E, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:



Beginning at the intersection of the north right of way line of Fleming Road and west line of Section 31, T16N, R18E; thence north along the west line of said Section 31 a distance of 485 feet; thence easterly and parallel to north right of way line of Fleming Road and its extension to the east right of way line of Norman Bridge Road; thence southerly along the said east right of way line of Norman Bridge Road to the north right of way line of Fleming Road and its extension; thence westerly along the said north right of way line of Fleming Road to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
COUNTY OF MONTGOMERY

Before me, Margaret Morgan, a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Advertiser Company, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: July 15, 22, 29 and Aug. 5, 1971.

GUYTON PARKS.

Sworn to and subscribed before me this the 6th day of August, 1971.

MARGARET B. MORGAN,  
Notary Public, Montgomery County, Alabama.

Also:

By Mr. Jones (F):

H. 2335. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 28, 29, 32 and 33, Township 16 N, Range 18 E, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA  
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 28, 29, 32 and 33, Township 16 N, Range 18 E, Montgomery County, Alabama.

**Be It Enacted by the Legislature of Alabama:**

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the following described boundaries, to-wit:

Beginnig at the intersection of the west right of way line of Narrow Lane Road and the half section line running east and west through Section 32, T16N, R18E; thence northerly along the west right of way line of Narrow Lane Road to the north right of way line of the South Boulevard; thence easterly along the said north right of way line of the South Boulevard to the east line of Section 32, T16N, R18E; thence continuing north along the east line of Section 29, T16N, R18E to a point on the south right of way line of Tullis Drive; thence west along the south right of way line of Tullis Drive a distance of 50.0 feet; thence north a distance of 50.0 feet to the northwest corner of the intersection of the north right of way line of Tullis Drive and the west right of way line of Antoinette Avenue; thence north along the west right of way line of Antoinette Avenue to the southwest corner of the intersection of the south right of way line of Greenview Road and the west right of way line of Antoinette Avenue; thence west along the south right of way line of Greenview Road a distance of 1290 feet more or less to a point on the east line of the west half of the SE $\frac{1}{4}$  of said Section 29, T16N, R18E; thence north along the east line of the west half of the southeast half of said Section 29, T16N, R18E, to the half section line running east and west through said Section 29, T16N, R18E; thence east along said half section line to the east line of Section 29, T16N, R18E; thence south along the east line of Section 29 to the east line of Woodley Road; thence southeasterly along the east line of Woodley Road to the west line of the Fisk Road; thence northerly along the west line of the Fisk Road to the south line of Section 28, T16N, R18E; thence east along the south line of Section 28 to the common corner of Section 27, 28 33 and 34, all in T16N, R18E; thence south along the west line of said Section 34 to the southwest corner of the NW $\frac{1}{4}$  of Section 34; thence turning and running west along the east-west half section line of Sections 33 and 32, T16N, R18, to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

**THE STATE OF ALABAMA  
COUNTY OF MONTGOMERY**

Before me, Margaret Morgan, a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Advertiser Company, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: July 15, 22, 29 and August 5, 1971.

GUYTON PARKS.

Sworn to and subscribed before me this the 6th day of August, 1971.

MARGARET B. MORGAN,  
Notary Public, Montgomery County, Alabama.

Also:

By Mr. Jones (F):

H. 2334. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in the northeast corner of Section 6, T15N, R18E, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in the northeast corner of Section 6, T15N, R18E, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the northeast corner of Section 6, T15N, R18E, Montgomery County, Alabama; thence west along the north line of said Section 6 to the east right of way line of Norman Bridge Road thence southerly along the east right of way line of Norman Bridge Road to the north line of Seibles Road; thence southeasterly along the north line of Seibles Road to the east line of said Section 6, T15N, R18E; thence north along the east line of said Section 6 to the northeast corner thereof, being the point of beginning.

SECTION 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

#### THE STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, Margaret Morgan, a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath depose and say:

That he is General Manager of the Advertiser Company, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the

City and County of Montgomery and State of Alabama, on the following dates: July 1, 8, 15 and 22, 1971.

GUYTON PARKS.

Sworn to and subscribed before me this the 6th day of August, 1971.

MARGARET B. MORGAN,  
Notary Public, Montgomery County, Alabama.

Also:

By Mr. Jones (F):

H. 2333. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 34, 35 and 36, Township 16 N, Range 17 E, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 34, 35 and 36, Township 16 N, Range 17 E, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the intersection of the northerly right of way line of the West Boulevard and the westerly right of way line of the L&N Railroad; thence southerly along said westerly right of way line of the L&N Railroad to the half section lines running east and west through Sections 34 and 35, T16N, R17E; thence east along the said half section lines to the west line of Section 36, T16N, R17E; thence north along the west line of said Section 36 to the north right of way line of Fleming Road; thence easterly along the north right of way line of Fleming Road to the east line of said Section 36; thence north along the east line of said Section 36 to the north right of way line of the Southern Boulevard; thence westerly along the said north right of way line of the Southern Boulevard and continuing along the northerly right of way line of the West Boulevard to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
COUNTY OF MONTGOMERY

Before me, Margaret Morgan, a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Advertiser Company, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: July 15, 22, 29 and Aug. 5, 1971.

GUYTON PARKS.

Sworn to and subscribed before me this the 6th day of August, 1971.

MARGARET B. MORGAN,  
Notary Public, Montgomery County, Alabama.

Also:

By Mr. Jones (F):

H. 2336. To authorize each municipality at any time having a population as great as 70,000 and not exceeding 135,000, according to the then next preceding Federal Census, to acquire, own, improve, maintain, and operate within the county in which such municipality is located, a public transit system for the transportation of passengers for hire; to provide that any such municipality shall have the power to expend moneys with respect to any such system; and to provide for the use by any such municipality of public roads in the said county in the operation of such system.

Also:

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 2302. To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Also:

By Messrs. King, Hearn, Hale, Grainger and Lutz:

H. 2303. To provide, in any county of the State of Alabama having a population of not less than 175,000 nor more than 300,000, according to the last Federal Decennial Census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation, and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mort-

gages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Also:

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2304. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Also:

By Messrs. Hearn, Hale, Grainger, Lutz and King:

H. 2305. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury

Also:

By Messrs. Hale, Grainger, Lutz, King and Hearn:

H. 2306. Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Also:

By Messrs. King, Hale, Hearn, Grainger and Lutz:

H. 2307. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

By Messrs. King, Lutz, Grainger, Hearn and Hale:

H. 2377. Relating to counties having populations of not less than 175,000 nor more than 300,000 inhabitants according to the most recent or any subsequent federal decennial census, to empower any county planning commission now existing or which hereafter may be created in such counties to merge or consolidate with any consenting planning commission of an incorporated municipality in that county.

Also:

By Mr. Snell:

H. 763. To amend the title and Section 1 of Act No. 338, H. 705, Regular Session 1969 (Acts 1969, p. 711), which act fixes the per diem pay for members of the board of equalization of certain counties classified on a population basis.

Also:

By Mr. Snell:

H. 765. To amend the title and Section 1 of Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which Act provides for the incorporation, management, authorization, and operation of an authority to provide installations for the amusement, entertainment, recreation, and cultural development of the citizens of certain counties classified on a population basis.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2338, 2335, 2334, 2333, 2336, 2302, 2303, 2304, 2305, 2306, 2307, 2377, 763 and 765. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stubbs:

H. 2363. To prohibit the spraying or dusting of any poisonous substance or chemical that is injurious to the health or well-being of wildlife, plant life or aquatic life over, upon, onto or in any forest or timberland in Shelby County; to provide penalties for the violation of the provisions of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To prohibit the spraying or dusting of any poisonous substance or chemical that is injurious to the health or wellbeing of wildlife or aquatic

life over, upon, onto or in any forest or timberland in Shelby County; to provide penalties for the violation of the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person to spray or dust any poisonous substance or chemical thot is injurious to wildlife or aquatic life over, upon, onto or in any forest or timberland in Shelby County by the use of aircraft or otherwise.

Section 2. Any person who violates any provision of this Act shall be deemed guilty of a misdemeanor and upon conviction may be punished by a fine not to exceed one thousand dollars and/or by imprisonment in the county jail not to exceed six months.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### THE STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who, being duly sworn according to law deposes and says that she is the Associate Editor of the Shelby County Reporter, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: July 15, 22, 29 and Aug. 5, 1971.

MILDRED WALLACE,  
Associate Editor.

Subscribed and sworn to before me this 6th day of Aug. 1971.

CONRAD M. FOWLER,  
Judge of Probate.

Also:

By Mr. Stubbs:

H. 2364. To transfer the duties of the probate judge in the matter of redeeming lands sold in Shelby County for taxes as provided by Article 5, Chapter 14, Title 51, Code of Alabama 1945 as amended, to the tax collector.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To transfer the duties of the probate judge in the matter of redeeming lands sold in Shelby County for taxes as provided by Article 5,



Chapter 14, Title 51, Code of Alabama 1945 as amended, to the tax collector.

Be It Enacted by the Legislature of Alabama:

Section 1. The procedure for redeeming lands sold for taxes in Shelby County shall be the same as provided in Article 5, Chapter 14, Title 51, Code of Alabama 1940, as amended, except such duties as are required of and performed by the probate judge shall be transferred to and be performed by the tax collector, and the probate judge shall be relieved of all such duties.

Section 2. The provisions of this Act shall become effective immediately upon the signature of the Governor or its otherwise becoming law.

THE STATE OF ALABAMA  
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who, being duly sworn according to law deposes and says that she is the Associate Editor of the Shelby County Reporter, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: July 1, 8, 15 and 22, 1971.

MILDRED WALLACE,  
Associate Editor.

Subscribed and sworn to before me this 23rd day of July, 1971.

CONRAD M. FOWLER,  
Judge of Probate.

Also:

By Mr. Stubbs:

H. 2365. To authorize the Clerk of the Law and Equity Court of Shelby County and any successor inferior court to remove and destroy certain court files after five years after final disposition of such cases and to excuse the Clerk of such court from making a final record in civil and criminal cases determined in such court.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the Clerk of the Law and Equity Court of Shelby County and any successor inferior court to remove and destroy certain court files after five years after final disposition of such cases and to excuse the Clerk of such court from making a final record in civil and criminal cases determined in such court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Clerk of the Law and Equity Court of Shelby County shall be authorized to remove and destroy court files in criminal and

civil cases after five years have passed from the date of final disposition of such cases, where the essential information contained in such court files has been duly and properly recorded in other official records maintained in the office of such Clerk.

Section 2. The Clerk of the Law and Equity Court of Shelby County shall not be required to make a final record of civil and criminal cases that have been heard and finally determined in such court.

Section 3. Nothing contained in this Act shall absolve the Clerk of the Law and Equity Court of Shelby County of the duty to keep and maintain an index, direct and indirect; a docket sheet; and a judgment entry as required by law in civil and criminal cases heard before such court.

Section 4. The provisions of this act shall relate back to January 1, 1971 and shall be applicable to any successor court of the nature of an inferior court that may hereafter replace the Law and Equity Court of Shelby County.

Section 5. Any laws or parts of law in conflict with this Act are hereby repealed.

Section 6. The provisions of this Act shall become effective immediately upon the signature of the Governor or its otherwise becoming law.

#### THE STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who, being duly sworn according to law deposes and says that she is the Associate Editor of the Shelby County Reporter, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: July 1, 8, 15 and 22, 1971.

MILDRED WALLACE,  
Associate Editor.

Subscribed and sworn to before me this 23rd day of July, 1971.

CONRAD M. FOWLER,  
Judge of Probate.

Also:

By Messrs. McDonald and St. John:

H. 2378. To repeal Act No. 65, H. 99, approved April 23, 1963, Second Special Session 1963 (Acts 1963, p. 227) entitled, "An Act to apply in all those counties in Alabama having not less than 46,500 population and not more than 49,000 population according to the latest or any subsequent federal decennial census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2379. To regulate and prescribe the qualifications of persons engaging in the Bail Bond business in counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2380. To repeal Act No. 990, S. 596, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1755) entitled, "An Act to provide for the compensation of the register of the circuit court of any county having a population of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local, or special laws."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2381. To repeal Act No. 624, S. 466, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1138) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to amend Act No. 628, H. 820, Regular Session 1967 (Acts 1967, p. 1431), an act which provides further for clerk hire allowances for certain county officers and repeals conflicting laws, amending such act in relation to the clerk hire allowance for the circuit clerk."

Also:

By Messrs. McDonald, Drake and St. John:

H. 2382. To repeal Act No. 628, H. 820, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1431) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census, providing further for clerk hire allowances for certain county officers, repealing conflicting laws."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2383. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide further for clerk hire allowances for certain county officers, repealing conflicting laws.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2384. To provide for the compensation of the register of the circuit court of any county having a population of not less than 53,000 nor more than 55,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2385. To repeal Act No. 169, H. 153, approved September 15, 1961, Special Session 1961 (Acts of Alabama 1961, p. 2123) entitled, "An Act to authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than forty-seven thousand (47,000) nor more than forty-nine thousand (49,000) inhabitants according to the last or any subsequent federal decennial census."

Also:

By Messrs Hill and Flippo:

H. 2370. Relating to counties having populations of not less than 65,500 nor more than 75,200; prohibiting any municipality or agency thereof from requiring that facilities for the use of utility services be installed by persons licensed by the municipality.

Also:

By Messrs. Hill and Flippo:

H. 2371. Relating to counties having populations of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; to prescribe the fee which may be charged by the Judge of Probate for celebrating the rites of matrimony and authorizing him to retain such fee for his personal use.

Also:

By Messrs. Hill and Flippo:

H. 2372. Relating to counties having populations of not less than 65,500 nor more than 75,200; to authorize the circuit clerk to keep for his personal use any and all passport fees, in addition to any other compensation; to apply retroactively to January 1, 1971.

Also:

By Messrs. Flippo and Hill:

H. 2373. Relating to counties having populations of not less than 65,500 nor more than 75,200; to provide for the county commission of such counties to grant exclusive franchises to private haulers of solid waste.

Also:

By Messrs. Hill and Flippo:

H. 2374. To establish "Municipal Courts" for all cities having populations of not less than 33,500 nor more than 36,500, which shall be subject to Chapter 12, Title 37, Code of Alabama 1940, (recompiled 1958) as last amended, except that no fine in excess of \$500.00 shall be assessed, and to abolish other courts of such cities exercising the functions conferred upon said Municipal Courts.

Also:

By Messrs. Flippo and Hill:

H. 2375. To prohibit cities, or any agencies thereof, having populations of not less than 33,500 nor more than 36,500 from collecting outside the corporate limits of said cities any permit fees, inspection fees or other fees with respect to the enforcement of any building code provision; to provide that building code provisions may be enforced within the police jurisdiction of said cities, but to limit the collection of all fees and charges therefor to the area within the corporate limits of the cities.

Also:

By Messrs. Hill and Flippo:

H. 2376. Relating to counties having populations of not less than 65,500 nor more than 75,200 which have abolished their County Inferior Court and established in lieu thereof a Statutory County Court, by pro-

viding further for the manner of taking appeals from judgments of said county court to the circuit court.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2363, 2364, 2365, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2370, 2371, 2372, 2373, 2374, 2375 and 2376. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 132. To regulate further the summoning of witnesses in Tuscaloosa County; to provide that witnesses may be subpoenaed by United States mail in Tuscaloosa County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

Also:

S. 505. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 160,000.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McDonald, St. John and Drake:

H. 2386. To repeal Act No. 251, H. 226, approved September 4, 1964, Special Session 1964 (Acts 1964, p. 348) entitled, "An Act to provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2387. To provide for additional supplemental salary to be paid to circuit judges of the Twenty-seventh Judicial Circuit and to fix the amount and method of payment thereof.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2388. To repeal Act No. 806, H. 1018, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1450) entitled, "An Act relating to judicial circuits composed of one county which county has a population of not less than 47,000 and not more than 49,000 and which county has two courthouses; authorizing the district attorney of such circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county composing such circuit.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2389. Authorizing the district attorney of the Twenty-seventh Judicial Circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county.

Also:

By Mr. McDonald:

H. 2390. To repeal Act No. 1000, S. 799, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1866) entitled, "An Act relating to counties having populations not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to increase the compensation of the judge of the County Court in such counties; to repeal conflicting laws."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2391. To increase the compensation of the judge of the County Court in counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2392. To repeal Act No. 424, H. 1012, approved August 16, 1965, Regular Session 1965 (Acts 1965, p. 625) entitled, "An Act to provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2393. To provide additional compensation for the official court reporters of the Twenty-seventh Judicial Circuit.

Also:

By Messrs. McDonald, Drake and St. John:

H. 2394. To repeal Act No. 548, S. 609, approved September 7, 1967, Regular Session 1967 (Acts 1967, p. 1297) entitled, "An Act relating to all counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census, provid-

ing further for the expense allowances of the chairman and members of the county governing body."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2395. Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide further for the expense allowances of the chairman and members of the county governing body.

Also:

By Messrs. McDonald and St. John:

H. 2400. To repeal Act No. 155, H. 173, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 222) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws."

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2401. To amend the title and Sections 1, 3, and 4 and to repeal Section 2 of Act No. 135, H. 117, Special Session 1967 (Acts 1967, p. 185), which provides for the appointment, equipment, training and compensation of deputies, aides and assistants of the sheriff of certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2402. To amend the title and Section 1 of Act No. 692, H. 954, Regular Session 1967 (Acts 1967, p. 1518), which provides an additional expense allowance for the sheriff of certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2403. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing Committee, as follows:

H. B.'s 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2400, 2401, 2402 and 2403. To the Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cauthen and Slate:

H. 2017. To repeal Act No. 216, H. 207 approved May 10, 1967, an Act relating to the allowance for expenses of tax assessor, tax collector, sheriff, circuit court clerk, probate judge and county court judge in certain counties on a population basis (Acts of Alabama Organizational Special Regular Sessions 1967 vol. I, p. 258).

Also:

By Messrs. Cauthen and Slate:

H. 2018. To repeal Act No. 38, H. 8 approved June 28, 1967, an Act relating to the allowance for expenses of tax assessor, tax collector and circuit court clerk in certain counties on a population basis (Acts of Alabama Organizational Special Regular Sessions 1967 vol. I, p. 367).

Also:

By Messrs. Cauthen and Slate:

H. 2019. To repeal Act No. 66, H. 55 approved February 7, 1956, an Act relating to the expenditures for offices of probate judge, sheriff, tax collector, tax assessor and circuit court clerk in certain counties on a population basis (Acts of Alabama Special Sessions 1956 vol. I, p. 99).

Also:

By Messrs. Cauthen and Slate:

H. 2028. To repeal Act No. 382, H. 880 approved August 30, 1963, an Act relating to counties having a population of not less than 76,000 nor more than 96,000: Providing for the reidentification of all registered voters; directing the Board of Registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification (Acts of Alabama 1963 vol. 2, p. 884).

Also:

By Messrs. Cauthen and Slate:

H. 2029. To repeal Act No. 190, H. 246 approved August 28, 1964, an Act relating to the salary and expense allowance of judge of probate in certain counties on a population basis (Acts of Alabama 1st and 2nd Special Sessions 1964, p. 254).

Also:

By Messrs. Cross and Carter:

H. 2041. Relating to the office of the Circuit Judge in every Judicial Circuit composed of one County, having but one Circuit Judge with a population of not less than 27,000 nor more than 27,900, authorizing an expense allowance for the Circuit Judge.



Also:

By Messrs. Carter and Cross:

H. 2042. Relating to the City of Athens in Limestone County; providing for the term of the Mayor and for overlapping terms of the members of the City Council.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the City of Athens in Limestone County: providing for the term of the Mayor and for overlapping terms of the members of the City Council.

Be It Enacted by the Legislature of Alabama:

Section 1. At the regular municipal election held in 1972 in the City of Athens in Limestone County, the Mayor shall be elected for a term of four years and the members of the City Council shall be elected by place. Places numbered 1 and 2 shall be for terms of four years. Places 3, 4 and 5 shall be for terms of two years. In 1974, in the same month in which the 1972 election is held, an election shall be held for places 3, 4 and 5 and from that time forth, the terms of places 3 4 and 5 shall be for four years.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edna Brackeen, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Asst. Adv. Manager of the Athens News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on the 6th, 13th, 20th, and 27th of July, all in the year 1971.

EDNA BRACKEEN.

Sworn to and subscribed before me 30th day of July, 1971.

W. R. NELSON,  
Notary Public,  
Expire 7-16-74.

Also:

By Messrs. Carter and Cross:

H. 2043. Further regulating the meetings of the county board of registrars in counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census.

Also:

By Messrs. Carter and Cross:

H. 2044. To provide expense allowance for the incumbent Circuit Court Clerk in all counties having a population of not less than 39,500 nor more than 41,750, said allowance to commence October 1, 1971, and to expire at the end of the term of the office of the incumbent Circuit Court Clerk and to be payable out of the general funds of the respective counties.

Also:

By Messrs. Carter and Cross:

H. 2045. To provide for the compensation and expense allowances for certain officers and employees and to provide additional allowances for the employment of deputies, clerks and other assistants in all counties having a population of not less than 39,500 nor more than 41,750.

Also:

By Messrs. St. John and Drake:

H. 2046. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the last or any subsequent federal decennial census; to authorize the Clerk of the Circuit Court to hire clerical help and fixing the compensation and method of payment thereof.

Also:

By Mr. Brassell:

H. 2128. To amend further Act No. 13, H. 118, of the Regular Session of 1947 (Local Acts 1947, p. 7) which establishes for the municipality of Phenix City a pension and relief system for the benefit of firemen and policemen, so as to regulate further membership in and creditable service for and retirement under such system; further regulating benefits payable under such system and the investment of monies in the Fireman's and Policeman's Pension and Relief Fund; and for such purposes amending Sections 4, 16, and 26 and further amending Sections 9 and 15, as amended.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF RUSSELL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend further Act No. 13, H. 118, of the Regular Session of 1947, (Local Acts 1947, p. 7) which establishes for the municipality of

Phenix City a pension and relief system for the benefit of firemen and policemen, so as to regulate further membership in and creditable service for and retirement under such system; further regulating benefits payable under such system and the investment of monies in the Firemen's and Policemen's Pension and Relief Fund; and for such purposes amending Sections 4, 16, and 26 and further amending Sections 9 and 15, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4, 16 and 26 of Act No. 13, H. 118 of the Regular Session of 1947 (Local Acts 1947, p. 7) which establishes for the municipality of Phenix City a pension and relief system, are hereby amended and Section 9 and 15 of such Act are hereby further amended to read as follows:

"4. The revenues of the fund shall be derived and obtained from the following sources: A) From the salary of each fireman and each policeman there shall be deducted, as the salary becomes payable, a sum equal to five percent of the amount of such salary: provided, however, that this deduction from his salary shall be stopped upon the completion by a fireman or a policeman of thirty years of membership in the fund; and thereafter he shall be deemed to be entitled to full pension coverage, without additional monthly contributions to the fund. Whenever a member of the fire department or of the police department is ineligible to participate in the benefits of the fund, neither he nor his salary or other compensation shall be subject to any assessment for the benefit of the fund. B) Each fire insurance company doing business in the city shall, before the first day of March of each year, pay into the fund a sum equal to one and one-half percent of the gross premiums, less return premiums, received by such company for an on account of business done by it in the city during the preceding calendar year. It shall be unlawful for any fire insurance company or its agent to take or receive any premium for insurance against fire within the city unless such company pays the the fund any amount herein required to be paid by it. Any fire insurance company that violates any provision of the Act shall forfeit the sum of one thousand dollars, to be recovered for the use of the fund by suit brought in the name of the city. Each person, firm, or corporation conducting a fire insurance agency or brokerage business in the city shall make, and file with the city clerk within the first ten days of each calendar year, a sworn statement of the name and address of each fire insurance company which such person, firm or corporation represented or did business for as agent or broker during the preceding year. Any person who fails or refuses to file such statement shall forfeit the sum of one hundred dollars, to be recovered for the use of the fund by suit brought in the name of the city. Forfeitures and penalties, when collected, shall be a part of the fund. Any sum, or sums, except forfeitures and penalties, required by this Section to be paid by fire insurance companies shall be treated and held to be a part of the privilege license tax which any municipal corporation may impose upon fire or marine insurance companies under Section 739 of Title 37 of the 1940 Code. C) Each fireman and policeman is required to pay promptly into the fund his witness fee in any case in which he may have been summoned by the city, and all money received by him as a donation, reward or gratuity, including any liquor seizure fee, for unusual or special services performed in the line of duty. D) There shall be paid into the fund, as and when received by the city, amounts received by it from the Alabama Alcoholic Beverage Control Board for contraband liquors and beverages confiscated and delivered to that agency. E) The Board may take by gift, grant, devise, or bequest, any money, personal property, or real estate or any interest therein. Any

gift, grant, devise, or bequest may be absolute or upon condition that only the rents, income, and profits arising therefrom shall be applied to the purpose for which the fund is created. F) The governing body of the city shall cause to be paid into the fund, monthly, out of the city treasury, an amount sufficient to match the sums contributed from salaries by members of the fire and police departments who are eligible to participate in the benefits of the fund.

"9. The Board may invest money held in the fund, or such portion of it as may be safely withdrawn for the purpose, in interest bearing bonds, warrants, or other obligations of the United States of America, of the State of Alabama, or of the city, any FDIC insured bank, or any savings and loan association insured by FSLIC. Income from investments shall become part of the fund. Securities belonging to the fund shall be held by the treasurer of the fund subject to the management and control of the board.

"15. The Board shall have the authority to retire without regard to the length of service, any fireman or policeman who attains the age of 65 years. Any person so retired, who has as much as twenty years of creditable service, shall be paid monthly from the fund as provided in Section 16. Any person so retired who has less than 20 years of creditable service shall be paid monthly from the fund, a sum equal to two percent of the amount of the monthly salary he was receiving at the time of his retirement, multiplied by the whole number of years he served in the department prior to retirement. No compensation paid under this section shall exceed \$175 per month.

"16. Regardless of age or physical condition, any fireman or policeman who has been in the service for as long as 20 years, may be retired and his name placed on the pension roll upon his application therefore. Any person so retired shall be paid monthly from the fund as follows:

"a. Patrolmen and firemen with twenty years of service may retire with benefits of \$210 per month, plus \$10 for each additional year of service through thirty years.

"b. Sargeants and drivers with twenty years of service may retire with benefits of \$220 per month, plus \$10 for each additional year of service through thirty years.

"c. Lieutenants with twenty years of service may retire with benefits of \$230 per month, plus \$10 for each additional year of service through thirty years.

"d. Captains with twenty years of service may retire with benefits of \$240 per month plus \$10 for each additional year of service through thirty years.

"e. Assistant Chiefs with twenty years of service may retire with benefits of \$250 per month, plus \$10 for each additional year of service through thirty years.

"f. A chief with twenty years of service may retire with benefits of \$260 per month, plus \$10 for each additional year of service, through thirty years.

"26. If any fireman or policeman is discharged, or if for any other reason he leaves his employment before he becomes entitled to the retirement benefits provided in this Act, he forfeits his rights under the Act. But he shall be entitled to a refund of all deductions made against his salary, without interest, less one-half of all benefits which may have been paid to him from the fund. If any such person how-

ever, elected or elects upon leaving such service to leave on deposit in the fund the money he has theretofore paid into the fund, he shall, if reemployment in the fire or police department within six months, be entitled to receive credit for continuous service from the beginning of the service which he had rendered prior to leaving the service, provided he pays all the dues which he would have been required to pay had he remained a member of the pension fund from the date of his withdrawal to the date of his re-employment, with interest thereon, at the rate of six percent per annum from the date due until his re-employment. If such fire fighter or policeman does not repay the fund as above prescribed, he may be re-admitted to membership in the fund, in which case he shall be entitled to credit for services rendered prior to his ceasing to be a fire fighter or policeman but not for the interim when he was out of such service.

"Any member of the pension fund, who upon ceasing to be a firefighter or policeman withdraws the money which he has contributed to the fund, upon re-entering the fire or police service may, within 30 days, repay to the fund all the money so withdrawn with interest at the rate of six percent per annum from the date of such withdrawal to the date of his re-employment, and thereby be re-admitted to the membership in the fund with all the credit for his prior service. In the event a person who has previously withdrawn the monies he had paid into the fund becomes a fire fighter or policeman again and fails to repay the fund all the money withdrawn with interest thereon as above prescribed, he shall receive no credit for his years of service prior to his re-entry into the fire or police department, but he shall be deemed a new employee and a new member of the fund as of the date of his re-employment as a paid fire fighter or policeman. Firemen or policemen absent from the service for a period of two years or more are ineligible to participate in a pension fund other than as a new member.

"Any person who is presently employed as a fireman or policeman when this Act becomes effective who has previously severed his employment with the fire or police department and withdrawn his retirement monies and re-entered such service as a new member of the fund who desires to re-instate his prior service credit may do so, provided that within 90 days after this Act becomes law, he repays all the pension monies withdrawn from the fund, with interest at the rate of six percent per annum. If he also repays monies that he would have paid into the fund during the period of his absence from service he will be given full continuing service credit from the time of the beginning of his previous employment in such fire or police service toward pension benefits under the fund. If, however, he repays the monies withdrawn from the fund but does not repay the monies that he would have paid during his absence from the service, then he shall only have credit for service rendered prior to the time he left the fire or police service."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Franklin D. Prince, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was publisher of the Phenix Citizen Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1971.

FRANKLIN D. PRINCE.

Sworn to and subscribed before me August 5, 1971.

CAROLYN S. DUDLEY,  
Notary Public.

My Commission Expires Jan. 18, 1975.

Also:

By Mr. Brassell:

H. 2129. Relating to all counties having populations of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; to set a fee for the issuance of pistol permits, and to provide for the collection and disposition of said fees.

Also:

By Messrs. Manley and Pruitt:

H. 2130. To provide the tax assessors and tax collectors of counties having populations of not less than 23,800 nor more than 23,925 an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

Also:

By Mr. Turnham:

H. 2131. For the purpose of enforcing the laws relative to children; to define further a delinquent child in all counties having populations of not less than 60,000 nor more than 65,000.

Also:

By Messrs. Cross and Carter:

H. 2135. Relating to counties having a population of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; to provide that where the chairman of the governing body of such counties is authorized to employ a clerk to whom he may delegate any clerical or purely administrative duty and that the salary of such clerk shall be established and provided for by the county governing body.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2153. Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; providing that the jury commission and board of registrars for said counties be allowed 10 extra authorized meeting days each year, and to provide further for an expense allowance for the members of said bodies.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2154. To increase the amount of sick leave with pay allowed school bus drivers in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

By Messrs. McDonald, St. John and Drake:

H. 2155. Authorizing counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide the County Superintendent of Education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer.

Also:

By Messrs. McDonald and Drake:

H. 2156. To repeal Act No. 229, S. 148, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 314) entitled, "An Act to authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2157. To authorize the governing bodies of all counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars.

Also:

By Messrs. McDonald and Drake:

H. 2158. To repeal Act No. 350, H. 872, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 487) entitled, "An Act relating to counties having a population of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county."

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2017, 2018, 2019, 2028, 2029, 2041, 2042, 2043, 2044, 2045, 2046, 2128, 2129, 2130, 2131, 2135, 2153, 2154, 2155, 2156, 2157 and 2158. To the Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crowe and Naramore:

H. 2255. Relating to Walker County; regulating costs and charges of certain courts in said county.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Walker County; regulating costs and charges of certain courts in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Walker County, fees for services rendered in civil cases at law in the circuit court shall be as follows:

CLERK'S FEES:

Suits for \$100.00 or less—\$.65

Suits for over \$100.00 but less than \$1000—11.00

Suits for \$1000.00 and over—22.00

Suits Detinue, ejectment, etc.—11.00

Suits not otherwise provided for—11.00

Appeal from Justice of Peace, etc.—6.60

Garnishment on Judgment, etc.—6.60

Workmen's Compensation-Petition Settlement—11.00

Appeals from State Dept. of Pub. Safety, etc.—11.00

Motion to sell real estate-J. P. levy—6.60

Mandamus, writ of prohibition, etc.—16.50

Recording Execution-State Agencies—3.30

Copy of Record-per 100 words—.15

Certifying Abstract in transcript—5.50

Record for Supreme-Appeals Ct. per 100 wds.—.15

Additional copies Record-Appeals per 100 wds.—.05

Taking Appeal Bond—.85

Reporter's Transcript on Appeal—11.00

Appeals Courts Current Jurisdiction—16.50

Application-Habeas Corpus—6.60



## SHERIFF'S FEES:

Serving summons and complaint—\$1.65  
Levying attachment and return—6.90  
Seizing personal property—Detinue—6.60  
Approving bond, each—2.20  
Serving Garnishee-Writ—1.65  
Serving Sci. Fa. or notice—1.65  
Serving subpoenas, each—.85  
Impaneling Jury—.85  
Serving Contempt Attachment—1.65  
Collecting Execution for cost only—1.65  
Executing Writ of Possession, each—5.50  
Making Deed to Real Estate sold, each—2.75  
Mileage, each—.10

## MISCELLANEOUS FEES:

Trial Tax—\$3.30  
Library Fee—1.10

Section 2. Fees for services rendered in the circuit court in equity in said county shall be as follows:

## REGISTER'S FEES:

Docketing Cause—2.20  
Issuing Subpoena—1.05  
Per copy—.70  
Entering Return—.20  
Entering Appearance—.70  
Filing Bills or other papers—.20  
Decree pro confesso—1.70  
Noting all Testimony—.70  
Recording Questions and Answers per 100 words—.35  
For all other services relating to such proceedings—1.40  
Final Record, 100 words—.30  
Entering Decree—1.40  
Order of Publication—1.70  
Abstract of Publication, 100 words—.20  
Decree appointing Guardian ad Litem—1.70  
Issuing Attachment writ—1.25

- Entering return—.20
- Issuing injunction writ or ne exeat—1.95
- Per Copy—.70
- Entering Return—.20
- Entering order submitting cause for decree—.70
- Any other order—.35
- Copy of Bill or other paper, per 100 wds.—.20
- Issuing commission to take testimony—1.05
- Receiving and filing each package of testimony—.15
- Endorsing each package of depositions published—.15
- Taking accounts, swearing witness, etc., per day—4.15
- Taking testimony on reference, 100 words—.20
- Report of Register—4.15
- Issuing subpoena, each witness—.35
- Witness certificate—.35
- Hearing application for appointment of Receiver or Trustee—4.15
- Settlement with Receiver, Trustee, Adm. or Exec.—5.50
- Examining Vouchers—.20
- Examining Answer or exception—4.15
- Deed to property sold—5.50
- Notices sent by mail to creditors—.20
- Filing, Receipting for and docketing each claim—.35
- Entries on subpoena docket—.70
- Entries on commission docket—.70
- Issuing certificate of Judgment to be recorded in Probate Court—.35
- Taking and approving Bond—\$1.40
- Each certificate or affidavit with seal—1.10
- Each certificate or affidavit without seal—.70
- Each Notice not otherwise provided for—1.10
- Entering orders by the Register—.70
- 1.10 Recording resignation, removal, or suggestion of death of trustee—
- Entering each certificate of Supreme Court—.70
- Transcript, per 100 words—.20
- For each additional copy of transcript—1.05
- State certificate—.70

Relieving minors of disability of non-age—8.80

Answer and Waiver Divorce case, 2 copies of Decree—13.20

Decree Pro Confesso on Personal Service, Divorce case, 1 copy of decree—22.00

Decree Pro Confesso on Registered mail service, Divorce case, 1 copy of decree—22.00

Decree Pro Confesso on Publication, divorce Case with 1 copy of decree—22.00

Certified copy of Divorce decree—1.40

Issuing execution—1.10

Entering return—.20

#### SHERIFF'S FEES:

Summoning on Bill, Each Defendant—1.65

Executing Writ of injunction, or Ne Exeat, Each—1.65

Executing Subpoenas for Witnesses, Each—.85

Executing Writs of Possession, Each—5.50

Executing Scire Facias or Notice, Each—1.65

Taking and Approving Bonds, Each—2.20

Impaneling Jury—.85

Collection Execution for Costs Only, Each—1.65

#### TAX AND MISCELLANEOUS FEES:

Court Reporter's Fees, Per Day or Fraction thereof—5.50

Trial Tax—3.30

Section 3. Fees for services rendered in the circuit court criminal division in said county, shall be as follows:

#### CLERK'S FEES-CIRCUIT COURT:

Misdemeanor-Defendent Pleads Guilty—9.90

Felony-Defendent Pleads Guilty—13.20

Misdemeanor-Defendent Pleads Not Guilty—11.00

Felony-Defendent Pleads Not Guilty—19.80

Misdemeanor-Nolle Prossed-Dismissed—8.80

Felony-Nolle Prossed-Dismissed—11.00

Preparing, Certifying Appeal—33.00

Conditional Judgment Set Aside—6.60

Probation—1.10

## SHERIFF'S FEES- CIRCUIT COURT:

Executing Writ of Arrest—	\$5.50
Committing prisoner to jail—	2.20
Serving subpoenas—each, G. J.—	.85
Serving subpoenas—each, Trial—	.85
Mileage executing Warrant—each—	.10
Serving scire facias—each—	.85
Collecting execution for cost—	1.65
Finger Printing—	1.10
Approving bond—	2.20

Fees for services rendered in the circuit court, criminal division in such county and payable by the state under Code of Alabama 1940, Title 45, Section 69 shall be as follows:

## CLERK'S FEES-CIRCUIT COURT:

Misdemeanor Defendant Pleads Guilty—	11.00
Felony-Defendant Pleads Guilty—	16.50
Misdemeanor-Defendant Pleads Not Guilty—	11.00
Felony-Defendant Pleads Not Guilty—	16.50
Hard Labor Appeal Affirmed—	22.00
Penitentiary-Appeal Affirmed—	33.00

## SHERIFF'S FEES-CIRCUIT COURT:

Executing Writ of Arrest—	5.50
Committing prisoner to jail—	2.20
Serving subpoenas—each, G. J.—	.85
Serving subpoenas—each, Trial—	.85
Mileage executing Warrant—each—	.10
Approving bond—	2.20

Section 4. Fees for services rendered in civil cases in intermediate court of Walker County, shall be as follows:

## CLERK'S FEES:

Suits for over \$100.00 but less than \$1000—	11.00
Suits Dentinue, ejectment, etc.—	11.00
Garnishment on Judgment, etc.—	6.60
Appeals from State Dept. of Pub. Safety, etc.—	11.00
Mandamus, writ of prohibition, etc.—	16.50
Recording Executions-State Agencies—	3.30
Copy of Record-per 100 words—	.15
Taking Appeal Bond—	.85

**SHERIFF'S FEES:**

Serving summons and complaint—1.65  
Levying attachment and complaint—6.90  
Seizing personal property-Detinue—6.60  
Approving bond, each—2.20  
Serving Garnishee-Writ—1.65  
Serving Sci. Fa. or notice—1.65  
Serving subpoenas, each—.85  
Serving Contempt Attachment—1.65  
Collecting Execution for cost only—1.65  
Commissions on Execution—1.65  
Executing Writ of Possession, each—5.50  
Mileage, each—.10

**TAX AND MISCELLANEOUS FEES**

Trial Tax—3.30  
Library Fee—.40  
Library Fee—1.10

Section 5. Fees for services rendered in the criminal division of the intermediate court of said county shall be as follows:

**CLERK'S FEES-INTERMEDIATE COURT**

Misdemeanor-Pleads Guilty—9.90  
Felony-Pleads Guilty—13.20  
Misdemeanor-Pleads Not Guilty—11.00  
Felony-Pleads Not Guilty—19.80  
Misdemeanor-Nolle Prossed-Dismissed—8.80  
Forfeiture Final Judgment—7.70  
Probation—1.10

**SHERIFF'S FEE-INTERMEDIATE COURT**

Executing Writ of Arrest—5.50  
Committing prisoner to jail—2.20  
Approving Bond—2.20  
Serving subpoenas—each, Trial—.85  
Mileage executing warrant—each—.10  
Serving scire facias—each—.85  
Collecting execution for cost—1.65  
Finger printing—1.10

Fees for services rendered in the intermediate court, criminal division in such county and payable by the state under Code of Alabama 1940, Title 45, Section 69, shall be as follows:

Misdemeanor-Pleads Guilty—11.00

Felony-Pleads Guilty—16.50

Misdemeanor-Pleads Not Guilty—11.00

Felony-Pleads Not Guilty—16.60

#### SHERIFF'S FEE-INTERMEDIATE COURT

Executing Writ of Arrest—5.50

Committing prisoner to jail—2.20

Approving Bond—2.20

Serving subpoenas—each, Trial—.85

Mileage executing warrant—each—.10

Section 6. Fees for services rendered in the equity division of the intermediate court of said county, shall be as follows:

#### CLERK'S FEES

Answer and Waiver Divorce case, 2 copies of Decree—\$13.20

Decree Pro Confesso on Personal service, Divorce case 1 copy, of Decree—22.00

Decree Pro Confesso on Registered mail service, Divorce case, 1 copy of decree—22.00

Decree Pro Confesso on Publication, divorce Case with 1 copy of decree—22.00

Certified copy of Divorce decree—1.40

#### SHERIFF'S FEES

Summoning on Bill, Each Defendant—1.65

Executing Subpoenas for Witnesses,—Each—.85

Executing Writs of Possession, Each—5.50

Executing Scire Facias or Notice, Each—1.65

Taking and Approving Bonds, Each—1.10

Impaneling Jury—85

Collection Execution for Costs Only, Each—1.65

#### MISCELLANEOUS TAX AND FEES

Court Reporter's Fees Per Day or Fraction Thereof—5.50

Trial Tax—3.30

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall not affect any case pending in court on the effective date of its enactment.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 9, July 16, July 23, and July 30, all in the year 1971.

H. S. PRINCE, JR.

Sworn to and subscribed before me July 30, 1971.

R. W. BOTELER, JR.,  
Notary Public.

Also:

By Messrs. Pruitt and Manley:

H. 2256. Relating to Perry County; to authorize and require the State Department of Revenue to refund to such county a portion of the state sales tax paid on purchases made with food stamps; and to provide for the use of such refunds.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

### A BILL TO BE ENTITLED AN ACT

Relating to Perry County; to authorize and require the State Department of Revenue to refund to such county a portion of the state sales tax paid on purchases made with food stamps; and to provide for the use of such refunds.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Department of Revenue shall refund to Perry County and the municipalities therein, that portion of the sales tax

collected under the provisions of Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, equal to the difference in the amount paid in Perry County for food stamps by the purchasers thereof and the face value of such stamps.

Section 2. Not later than the 20th day of each month next succeeding the month in which the sales were made the Director of the Bureau of Commodity Distribution, Department of Pensions and Security shall submit to the Commissioner of Revenue a statement showing the total amount received during the succeeding month from the sale of food stamps to the residents of Perry County and the face value of such stamps. Within five days thereafter the Commissioner of Revenue shall determine the difference between the amount paid for the stamps and the face value of such stamps and the amount of revenue received by the state from the sales tax on such difference. The Commissioner of Revenue shall divide such revenue and distribute it as follows: One-third shall be remitted to Perry County; one-third shall be remitted to the City of Marion; and one-third shall be remitted to the City of Uniontown.

Section 3. Any funds received under the provisions of this act by Perry County, the City of Marion, or the City of Uniontown shall be expended in such county or city on financing the food stamp program or as matching funds for any state or federal program which requires local matching funds.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1971.

ALBERT STEWART.

Sworn to and subscribed before me July 12, 1971.

ELIZABETH F. STEWART,  
Notary Public, Perry Co., Ala.

Also:

By Mr. Baker:

H. 2259. Relating to DeKalb County; to provide further for the type of newspapers in which certain notices required to be published



in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

#### A BILL TO BE ENTITLED AN ACT

Relating to DeKalb County; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the type of newspapers designated in Section 713 of Title 7, Code of Alabama of 1940, as last amended, in which publication of certain notices may be published in DeKalb County the publication of any notice required by law or mortgage or other contract to be published in a newspaper may be published in any newspaper printed in the English language which has general circulation in such county, regardless of where the paper is printed, if the principal editorial office of the newspaper is located within the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### STATE OF ALABAMA COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 8, July 15, July 22, and July 29, all in the year 1971.

JERRY E. WHITTLE.

Sworn to and subscribed before me on this the 9th day of August, 1971.

MARY RUTH BROWN,  
Notary Public.

My Commission Expires: 1-29-73.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 2262. Relating to the residence of employees of municipalities having a population of not less than 50,000 nor more than 60,000, according to the most recent federal decennial census.

Also:

By Mr. Casey:

H. 2202. To provide each county commissioner and the chairman of each county commission in counties having populations of not less than 17,000 nor more than 20,000 an expense allowance, such allowance to be payable out of the general fund of the county.

Also:

By Mr. Casey:

H. 2203. Relating to Cleburne County, regulating the purchase, sale, and exchange of property for the county and providing for and requiring competitive bidding on certain contracts; providing a central purchasing system for the county and county officers and departments; designating a county purchasing agent; to provide for an inventory of county property and equipment; to provide for labeling of all county property and equipment; prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Cleburne County, regulating the purchase, sale, and exchange of property for the county and providing for and requiring competitive bidding on certain contracts; providing a central purchasing system for the county and county officers and departments; designating a county purchasing agent; to provide for an inventory of county property and equipment; to provide for labeling of all county property; and equipment; prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Subject to the supervision, regulation, and control of the county commission, board of revenue, or other like governing body of Cleburne County, and any rules and regulations which such body may promulgate from time to time in exercising its authority under this Act, all purchases for the county shall be made by such county governing body or its duly authorized agent. And the probate judge, as chairman of the county commission, shall function as purchasing agent without additional compensation. The provisions of this Act shall have application to all purchases made by or for Cleburne County, whether such purchases are made by the county governing body as such, or by its purchasing agent. The purchasing agent shall make all purchases of supplies, materials, equipment, and contractual services (which term as used in the Act shall not include purchase of insurance or contracts for professional or other personal services) for the county. In addition to all other powers and duties the purchasing agent shall have the following authority:

(1) To establish standard specifications for supplies, equipment, and materials used by the county officials, offices, and departments;

- (2) To operate a central storeroom;
- (3) To require county officers, offices and departments to prepare estimates of requirements;
- (4) To transfer among the county officers, offices, and departments surplus supplies, equipment and materials, or to sell surplus or obsolete items as provided herein;
- (5) To promulgate reasonable rules and regulations governing the acquisition of supplies, materials and equipment, or the disposal of surplus or obsolete personal property of the county.

Section 2. The county commission, board of revenue, or other like governing body, and its clerk, as may be designated by law, shall maintain the books and records of the county in accordance with the accounting and record system prescribed by the State Department of Examiners of Public Accounts. In addition, the commission, shall require a perpetual inventory to be maintained of all tools, tires, machinery, fuel, oil, grease, spare parts supplies and equipment belonging to or leased by Cleburne County. Such inventory shall be made by the purchasing agent or someone designated by him and the record of such perpetual inventory shall be kept on file in the office of the purchasing agent, and shall be open to public inspection at all reasonable times. Such inventory record shall show where such property is located, and in whose possession or under whose control it is. In addition, the purchasing agent shall mark or label all such property owned by Cleburne County in letters of sufficient size so as to make the property clearly distinguishable as being property of Cleburne County.

Section 3. Supplies, materials, equipment and services shall be furnished to the county officers, offices, and departments only upon written requisition setting forth the articles needed and signed by the officer for whose office the articles are requested. The requisitions shall state by items the articles that are desired and needed, that the articles are necessary, that the amount of the requisition is not excessive, and that no part of the article will be used except in conducting the public business. The requisitions, with the purchase invoices attached, shall be kept on file in the office of the purchasing agent, in an orderly manner, as a permanent record subject to public inspection at all reasonable times.

The provisions of this Act requiring purchases to be made through the county commission may be waived in the case of small purchases costing no more than fifty dollars (\$50.00), provided that no such purchase is part of a larger purchase which has been divided for the purpose of coming within this exception.

All county officers, and all county offices and departments shall inspect, upon delivery, all materials, supplies, and equipment purchased for him or it, and no item shall be accepted and paid for without having been approved by the officer, office, or department requesting the purchase. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this section shall be personally liable for the amount of such purchase.

Section 4. The purchasing agent shall obtain at least three written, sealed, competitive bids on all purchases of supplies, materials, equipment, and contractual services when the amount involved is Five Hundred and No-100 (\$500.00) Dollars or more. If the proposed purchase or contract involves an amount less than Five Hundred and No-100 (\$500.00) Dollars, the purchase may be made either on the basis of sealed bids or in the open market. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount

less than Five Hundred and No-100 (\$500.00) Dollars for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board in the county courthouse at least ten days prior to meeting at which the purchase is to be made and advertised in a newspaper of general circulation in the county at the discretion of the purchasing agent. If the amount of the proposed purchase or the proposed contract is in excess of Five Hundred and No-100 (\$500.00) Dollars, written notice by registered mail, with return receipt requested shall be given to at least three merchants or dealers in the goods or materials to be purchased, or where notice is of a contract to be let, to at least three contractors engaged in the type of work contemplated. A copy of such notice or notices, together with the return receipts showing their delivery, must be recorded in and shall become a part of the permanent records of the county purchasing agent.

All bids received on proposed purchases or contracts shall be opened publicly at the time and place stated in the invitation to bid. The contract or order shall be awarded to the lowest responsible bidder, or all bids may be rejected and re-advertised as provided above. The purchasing agent may obtain information from the Division of Purchases and Stores of the State Department of Finance relative to the items to be purchased by competitive bids; and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids may be rejected and the purchase may be negotiated through the State Purchasing Agent. All bids, with the names of the bidders, shall be entered on a permanent record. Each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after the award, be open to public inspection. In the event of a sale, trade, or other disposition of any property of the county of any nature or kind the procedure as outlined herein as it relates to the obtaining of written, sealed, competitive bids shall be followed, and such sale, trade, or disposition of the property of the county shall be made in accordance with the most advantageous offer made.

Section 5. In an emergency a purchase not to exceed one thousand five hundred dollars (\$1,500.00) may be made without competitive bids and without obtaining information from the Division of Purchases and Stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the item purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the purchasing agent and filed in his office. An emergency, as the term is used herein, means a situation where needed equipment of the county is idle due to lack of parts, supplies, or repairs therefor, or when materials or supplies are immediately needed to place in operating condition the road or bridge system of the county which has become impassable or dangerous due to damage or destruction of existing portions thereof. The records of such emergency transactions shall be open to public inspection. The provisions of this Act regarding competitive bidding and obtaining information from the State Purchasing Agent may be waived for purchases of perishable commodities, utility services, machinery repairs, and commodities or services for which there is no competitive situation.

Section 6. In making purchases for the county the purchasing agent shall give preference to commodities produced or sold in Cleburne County, provided there is no sacrifice or loss in price or quality.

Section 7. All contracts of whatever nature for the sale or disposal of tangible personal property owned by Cleburne County, shall be let by free and open competitive public auction or sealed bids. Every proposal to make a sale covered by this Act shall be advertised for at

least two weeks in advance of the date fixed for receiving the bids. Such advertisement shall appear at least once a week for two consecutive weeks in a newspaper of general circulation in Cleburne County and a copy of such proposal shall simultaneously be posted on a readily accessible public bulletin board at the Cleburne County Courthouse. The advertisements shall further state the date, time and place of auction or opening of sealed bids and no bid shall be received at any time after the time advertised. The bids shall be publicly taken, or opened in the case of sealed bids, by the purchasing agent and all bidders shall be entitled to be present in person or by representative. The bid of the successful bidder so marked, as well as the bids of the unsuccessful bidders in the case of sealed bids shall be placed on file in the office of the purchasing agent and open to public inspection. In the event that all bids received are less than the estimated market value of the property the purchasing agent may reject all bids and re-advertise as provided above.

All proceeds from sales made under the provisions of this Act shall be paid into the County Treasury to be credited to the fund from which originally purchased.

Section 8. Whoever purchases or disposes of, or attempts to purchase or dispose of property for or on behalf of Cleburne County contrary to the provisions of this Act, or whoever violates any provision of this Act, is guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), and in addition may be imprisoned in the penitentiary for one year and one day.

Section 9. The county commission, board of revenue, or other like county governing body of Cleburne County shall provide the purchasing agent with the quarters, supplies, books, equipment, postage, and assistance necessary for the proper and efficient conduct of his duties. The purchasing agent may employ, County expense, not more than one employee for the administration of this act.

Section 10. Before entering upon the discharge of his duties, the county purchasing agent shall execute a bond in the sum of five thousand dollars (\$5,000.00). The bond shall be payable to Cleburne County, with good and sufficient surety, and shall be conditioned upon the faithful discharge and performance of his duties. The bond shall be filed and recorded in the office of the judge of probate of the county, and the premium thereon shall be paid by the county.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack R. Wood, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for

four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1971.

JACK R. WOOD.

Sworn to and subscribed before me August 5, 1971.

RUTH S. MORGAN,  
Notary Public.

Also:

By Mr. Williams:

H. 2211. To alter and rearrange the boundary lines of the City of Stevenson, Jackson County, Alabama, so as to exclude certain territory now within the corporate limits of said City and annex certain other territory not now within the corporate limits of said City.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA JACKSON COUNTY

Pursuant to the Constitution and laws of the State of Alabama, notice is hereby given of the intention to apply to the Legislature of Alabama for the passage and enactment of a local law, the substance of which is as follows:

#### A BILL TO BE ENTITLED AN ACT

To alter and rearrange the boundary lines of the City of Stevenson, Jackson County, Alabama, so as to exclude certain territory now within the corporate limits of said city and annex certain other territory not now within the corporate limits of said city.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines of the City of Stevenson, Jackson County, Alabama, are hereby altered and rearranged so as to exclude certain territory now within the corporate limits of said City and annex certain other territory not now within the corporate limits of said City so that hereafter the corporate limits of said City of Stevenson shall becomprised of all the territory lying within the following described boundaries situated in Jackson County, Alabama, to-wit:

Beginning at the Northeast corner of the Southeast quarter of Section 5, Township 2 South, Range 8 East, run in a southwesterly direction to a point on the McMahan Cove Road which is N. 58 degrees 49' 30" E., 1526 feet from the Northwest corner of the Southeast quarter of Section 7, Township 2 South, Range 8 East; thence in a southwesterly direction to a point which is S. 88 degrees 50' E., 694.36 feet from TVA Boundary Marker No. 131, said point being 500 feet easterly from and perpendicular to the centerline of Alabama Highway No. 117, thence in a northerly direction parallel with and 500 feet easterly from said Highway No. 117 to the northerly boundary line of Section 12, Township 2 South, Range 7 East; thence in a westerly direction with the North line of Section 12 and Section 11, Township 2 South, Range 7 East to a point which is 500 feet west and perpendicular to the center-

line of Alabama Highway No. 117; thence in a southerly direction parallel with and 500 feet westerly from said Highway No. 117 to a point which is N. 88 degrees 50' W., 305.64 feet from TVA Boundary Marker No. 131; thence in a southwesterly direction to TVA Boundary Marker No. 137; thence in a southeasterly direction to TVA Boundary Marker No. 240; thence S. 46 degrees 24' E., 626.76 feet to a point which is 500 feet southeasterly from and perpendicular to the centerline of U. S. Highway No. 72; thence in a northeasterly direction parallel with and 500 feet southeasterly from the centerline of U. S. Highway No. 72 to the intersection with the East boundary line of Section 5, Township 2 South, Range 8 East, thence North with the East boundary line of Section 5, Township 2 South, Range 8 East to the point of beginning.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Hollice Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Jackson County Advertiser, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 18, & 25, April 1, and 8, all in the year 1971.

HOLLICE SMITH.

Sworn to and subscribed before me June 23, 1971.

MARILYN DUDLEY,  
Notary Public.

Also:

By Messrs. Manley and Pruitt:

H. 2217. Relating to all counties having populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census; providing further for the manner of payment of the sheriff and his deputies.

Also:

By Mr. Easters:

H. 2219. Relating to the appointment of the Superintendent of Education by the County School Board in counties having a population of not less than 34,100 and not more than 34,900 according to the most recent federal decennial census.

Also:

By Messrs. Manley and Pruitt:

H. 2220. Relating to counties having populations not less than 14,500 nor more than 15,500; to impose a privilege license or excise tax on sellers, distributors, storers, or users of malt or brewed beverages

in such counties; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2255, 2256, 2259, 2262, 2202, 2203, 2211, 2217, 2219 and 2220. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake and St. John:

H. 1662. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. Each circuit judge in Cullman County shall be entitled to and shall receive an allowance for office and other expenses incurred in the maintenance and conduct of his office and in the proper and efficient discharge and performance of his duties as such circuit judge, one thousand five hundred dollars (\$1,500) per annum, payable in equal monthly installments out of the treasury of the county composing the circuit, on vouchers or warrants drawn in the manner prescribed by law for the payment of the compensation of such judge. This expense allowance shall be in addition to any and all other compensation and allowances now authorized and provided by law for such judge and it may be expended as directed by said judge.



Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 17, 24, July 1, and 8, all in the year 1971.

MARC MILLER.

Sworn to and subscribed before me July 20th, 1971.

CHARLOTTE MILLER,  
Notary Public.

Also:

By Mr. Grey (D):

H. 2066. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama:

With notice and proof thereto attached and herewith exhibited as follows:

#### THE STATE OF ALABAMA LAMAR COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama:

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Millport, Lamar County, Alabama, be altered, rearranged and extended to include the following territory:

The S $\frac{1}{2}$  of the NE $\frac{1}{4}$ , the S $\frac{1}{2}$  of the NW $\frac{1}{4}$ , and the S $\frac{1}{2}$  of Section 22; all of Section 23; the W $\frac{1}{2}$  of SW $\frac{1}{4}$  of Section 24; the W $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 25; the N $\frac{1}{2}$  and the N $\frac{1}{2}$  of S $\frac{1}{2}$  of Section 26; the N $\frac{1}{2}$  and the N $\frac{1}{2}$  of S $\frac{1}{2}$  of Section 27; all in Township 17 South, Range 15 West, in Lamar County, Alabama.

Section 2. That all laws and parts of laws, general, special and local, in conflict with this Act, be and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Before me, Pauline Greer, a Notary Public in and for said County, personally appeared Rex Rainwater, Publisher of THE LAMAR DEMOCRAT, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice was published once a week for 4 consecutive weeks in said paper in issues dated as follows: June 17, 1971, June 24, 1971, July 1, 1971, July 8, 1971.

REX RAINWATER,  
Publisher.

Subscribed and sworn to before me, this the 8th day of July, 1971.

PAULINE GREER,  
Notary Public.

My Commission Expires April 7, 1973.

Also:

By Messrs. Culver, Parker (T) and Bank:

H. 2090. To grant legislative relief to officers of counties having a population of not less than 110,000 and not more than 150,000 having been paid expenses under the provisions of Act No. 581, Acts of Alabama 1969, page 1068.

Also:

By Messrs. Culver, Bank and Parker (T):

H. 2091. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

By Messrs. Connell and Crawford:

H. 2199. To amend further Section 4 of Act No. 553, H. 145, Regular Session 1955 (Acts 1955, p. 1210) as last amended which provides housing authorities and municipalities within the State of Alabama with certain power in respect to urban renewal, so as to remove an exception relating to Houston County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend further Section 4 of Act No. 553, H. 145, Regular Session 1955 (Acts 1955, p. 1210) as last amended which provides housing au-

thorities and municipalities within the State of Alabama with certain power in respect to urban renewal, so as to remove an exception relating to Houston County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 553, H. 145, Regular Session 1955 (Acts 1955, p. 1210) as last amended, is hereby further amended to read as follows:

"Section 4. Powers with Respect to Urban Renewal. An authority shall have all the powers necessary or convenient to undertake and carry out urban renewal plans and urban renewal projects, including the authority to acquire and dispose of property, to make payments to persons and businesses displaced by the acquisition and disposal of any property, to issue bonds and other obligations, to borrow and accept grants source and to exercise the other from the Federal Government or other powers which Sec. 96-104 Inc. of Title 25, Code of Alabama, 1940, confers on an authority with respect to redevelopment projects. In connection with the planning and undertaking of any urban renewal plan or urban renewal project, the authority, the municipality, and all public and private officers, agencies, and bodies shall have all the rights, powers, privileges, and immunities which they have with respect to a redevelopment plan or redevelopment project, in the same manner as though all of the provisions of Sec. 96-104 Inc. of Title 25, Code of Alabama, 1940, applicable to a redevelopment plan or redevelopment project were applicable to an urban renewal plan or urban renewal project provided that for such purpose the word 'redevelopment' as used in Sec. 96-104 Inc. of Title 25, Code of Alabama, 1940, shall mean 'urban renewal' and the word 'slum' and the word 'blighted' as used in said Sec. 96-104 Inc. of Title 25, Code of Alabama, 1940 shall mean 'blighted, deteriorated, or deteriorating'; and provided further that this section shall not change the corporate name of the authority or amend any Section of Sec. 96-104 Inc. of Title 25, Code of Alabama, 1940. In addition to the surveys and plans which an authority is otherwise authorized to make, an authority is hereby specifically authorized to make (i) plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, and (ii) plans for the enforcement of laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements. The authority is authorized to develop, test, and report methods and techniques, and carry out demonstrations and other activities, for the prevention and the elimination of slums and urban blight. This Act shall in no way preclude any municipality or housing authority from acquiring planning funds from any agency of the federal government for the purpose of investigating and planning any urban renewal project to be submitted to the electors of the city or town or housing authority affected under this Act and the acquisition of said planning funds shall not require a vote of the duly qualified electors of the city or town or housing authority affected under this Act, all other parts and sections of this Act remain unchanged."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA  
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That

he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: July 22, 29, Aug. 5, 9, in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 10th day August 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 2200. To provide an additional expense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To provide an additional expense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor and tax collector of Houston County shall be entitled to receive an expense allowance of \$100 per month which shall be in addition to any and all other compensation and expenses provided for by law Said expense allowance shall be payable in equal monthly installments out of the general funds of Houston County and shall expire and no longer be paid upon the expiration of the term of the incumbent in each of said offices.

Section 2. Effective October 1, 1973, the county revenue commissioner of Houston County shall be entitled to receive a monthly expense allowance of \$75.00 per month which shall be paid in equal monthly installments out of the general fund of Houston County and shall be in addition to any and all other compensation and expense allowances provided for by law.

Section 3. All laws or parts of laws which conflict with the provisions of this act are repealed.

Section 4. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 9, July 16, July 23, and July 30, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me August 3, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Messrs. Jackson and Wise:

H. 2214. Relating to counties having a population of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to further provide for a Special Circuit Court Fund and for the payment therefrom of attorneys fees of attorneys appointed to represent indigent defendants; and authorizing the County Treasurer to pay said claims when verified and approved by the Circuit Judge of such circuit.

Also:

By Messrs. Jackson and Wise:

H. 2218. To make an appropriation from the state treasury for the relief of Ray Bozeman, Clerk of the Covington County Circuit Court.

Also:

By Messrs. Culver, Parker (T), Robertson and Bank:

H. 2224. To allow the Clerk of the Circuit Court, and the Register of the Circuit Court in Equity, of the Sixth Judicial Circuit of Alabama, the option, within their own discretion, to determine whether they shall come within the provisions of Act No. 566, S. 117, Regular Session 1969 (Acts 1969, p. 1046).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To allow the Clerk of the Circuit Court, and the Register of the Circuit Court in Equity, of the Sixth Judicial Circuit of Alabama, the option, within their own discretion, to determine whether they shall come within the provisions of Act No. 566, S. 117, Regular Session 1969 (Acts 1969, p. 1046).

Be It Enacted by the Legislature of Alabama:

Section 1. The Clerk of the Circuit Court, and the Register of the Circuit Court in Equity, of the Sixth Judicial Circuit of Alabama, shall

have the option, within their own discretion, to determine whether or not they shall come within the provisions of Act No. 566, S. 117, Regular Session 1969 (Acts 1969, p. 1046).

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor-publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1971.

KARL ELEBASH, JR.

Sworn to and subscribed before me August 5, 1971.

LAJUNE BURNETT,  
Notary Public.

Also:

By Mr. Snell:

H. 2225. To alter, rearrange and extend the boundary lines and corporate limits of the City of Lanett in Chambers County.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

##### STATE OF ALABAMA COUNTY OF CHAMBERS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Lanett in Chambers County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Lanett in Chambers County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property:

Begin at the Southwest corner of Section 23, Township 22 North, Range 28 East, Chambers County, Alabama; Thence North 88 degrees 37' East for 359.36 feet to a concrete monument for a corner and starting point of the lines to be described; from this point of beginning, thence, North 02 degrees 50' West for 883.80 feet to a concrete monument for a corner; Thence North 88 degrees 01' East for 1531.73 feet to a concrete monument for a corner; Thence South 02 degrees 50' East for 883.80 feet to a concrete monument for a corner located on the South margin of Section 23; Thence South 36 degrees 29' West for 437.61 feet to a concrete monument for a point; Thence South 88 degrees 37' West for 1094.55 feet to a concrete monument which was the point of beginning.

The above described parcel is located in Section 23, Township 22 North, Range 28 East, Chambers County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon it otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16, June 23, June 30, and July 7, all in the year 1971.

MRS. BONNIE HAND.

Sworn to and subscribed before me August 6, 1971.

MARION CLARK ALLEN,  
Notary Public.

Also:

By Mr. Snell:

H. 2226. To fix the fee for issuance of a pistol permit by the sheriff in Chambers County and for the distribution and use of revenue derived therefrom.

With notice and proof thereto attached and herewith exhibited as follows:

#### A BILL TO BE ENTITLED AN ACT

To fix the fee for issuance of a pistol by the sheriff in Chambers County and for the distribution and use of the revenue derived therefrom.

Be It Enacted by the Legislature of Alabama:

Section 1. That the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Title

14, Section 177, Code of Alabama 1940, shall henceforth be five dollars (\$5) in Chambers County.

Section 2. That the said fee shall be collected by the sheriff of Chambers County and deposited in the said county treasury. Four fifth (4/5) of the revenue from each such fee collected shall be credited to a special fund or account in the aforementioned county treasury and shall be used by the sheriff exclusively for law enforcement purposes. The remainder of the revenue from said fees when collected shall be paid into the general fund of the county.

Section 3. That the monies deposited in the fund or account, which shall be called herceforth "The Sheriff's Special Fund for Law Enforcement" or here inafter in this act called "The Sheriff's Special Fund" shall be paid over by the county treasury to the sheriff from time to time upon written request by the sheriff to the county treasurer. The sheriff shall keep and maintain records of all expenditures made from said fund. Said fund and any subsequent expenditures therefrom shall be subject to audit upon resolution adopted by the Chambers County Commission or as otherwise provided by law.

Section 4. That the establishment of the "Sheriff's Special Fund" as provided for in this act and the use of such designated funds shall in no way diminish or take the place of any other imbursement or other source of income established by law or in any other manner for the sheriff or the operator of his office.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 7, July 14, July 21, and July 28, all in the year 1971.

MRS. BONNIE HAND.

Sworn to and subscribed before me August 6, 1971.

MARION CLARK ALLEN,  
Notary Public.

Also:

By Mr. Snell:

H. 2227. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as amended by Act No. 605, H. 702, Special Session 1967, (Acts 1967, p. 1394), An Act fixing the compensation of the deputy solicitor of Chambers County.

With notice and proof thereto attached and herewith exhibited as follows:



A BILL  
TO BE ENTITLED  
AN ACT

To amend further Section 1 of Act No. 129, S.54, Special Session 1961 (Acts 1961, p. 2053) as amended by Act No. 605, H. 702, Special Session 1967, (Acts 1967, p. 1394), An Act fixing the compensation of the deputy solicitor of Chambers County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as last amended is hereby amended so as to read as follows:

"Section 1. The compensation of the Deputy Solicitor appointed for Chambers County shall be an annual salary of four thousand eight hundred dollars (\$4,800) and shall be payable in equal monthly installments from the county treasury."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 7, July 14, July 21, and July 28, all in the year 1971.

MRS. BONNIE HAND.

Sworn to and subscribed before me August 6, 1971.

MARION CLARK ALLEN,  
Notary Public.

Also:

By Mr. Snell:

H. 2228. Relating to Chambers County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Chambers County.

With notice and proof thereto attached and herewith exhibited as follows:

## NOTICE

STATE OF ALABAMA  
COUNTY OF CHAMBERS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Chambers County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; and requiring bond; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Chambers County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Chambers County Commission, or any succeeding county governing body performing the functions of the county governing body in said county, shall employ a county engineer, who shall be a thoroughly qualified and competent civil engineer, possessing all of the qualifications as specified for county engineers under the general laws of the State of Alabama; and he shall devote his entire time and attention to the maintenance and construction of the Chambers County public roads, highways, bridges and ferries, and shall, during his employment, reside in chambers County, Alabama.

Section 2. Said county engineer shall be appointed by the County Commission from a nomination made by the state highway director. If said nomination is not acceptable to said board the state highway director shall be requested to make additional nominations. Should the state highway director refuse, or fail to make nominations, the County Commission may fill the position of county engineer with any person who has the qualifications herein set out.

Section 3. It shall be the duty of the said county engineer, (1) to employ, supervise and direct all such assistants as are necessary properly to maintain and construct the public roads, highways, bridges, and ferries of Chambers County, and he shall have authority to prescribe their duties, and to discharge said employees for cause, or when not needed; (2) to perform such engineering and surveying service as may be required, and to prepare and maintain the necessary maps and records; (3) to maintain the necessary accounting records to reflect the cost of the county highway system; (4) to build, or construct new roads, or change old roads, but only when ordered to do so by proper order of the County Commission; (5) it shall be his further duty, in so far as is feasible to construct and maintain all county roads on the basis of the county as a unit, without regard to any district or beat lines.

Section 4. The said county engineer is hereby designated as the person authorized to make written requisition upon the duly designated purchasing agency, for all articles, materials, supplies, and equipment necessary for the maintenance and construction of roads, bridges and ferries in Chambers County.

Section 5. It shall be the duty of the board to fix, from time to time, in accordance with prevailing economic conditions, the various scales of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, bridges, and ferries, and said wage or salary scale shall not be exceeded by said engineer in the employment of labor and assistants.

Section 6. The board shall fix the amount of the salary of the said county engineer, payable in equal monthly installments from the road and highway funds of Chambers County.

Section 7. Before entering upon his duties, the said county engineer shall make and enter into a surety bond in the amount of five thousand dollars (\$5,000.00), payable to Chambers County, conditioned for the faithful discharge and performance of his duties as such engineer, and for the faithful accounting of all monies or property of said county, which may come into his possession or custody. Said bond shall be executed by a surety company authorized and qualified to do business in Alabama, and be approved by the board. The premiums thereon shall be paid by the county.

Section 8. The board shall furnish the county engineer with an office at the courthouse, or elsewhere, at the county seat, and all necessary office supplies, and shall furnish him with necessary transportation in connection with his duties under this Act.

Section 9. The county engineer shall be the custodian of all road tools, machinery, supplies and equipment of Chambers County, and he shall be accountable for the same, at all times. The board shall furnish the necessary storage facilities in which to keep said tools, machinery, supplies and equipment, and the county engineer shall keep on files in his office, at all times, an up-to-date inventory, containing a ment and supplies belonging to Cham- ment and supplies belonging to Chambers County.

Section 10. The authority of said county engineer shall be limited to the expenditure of such funds for the purpose of construction, maintenance or repairs of public roads, bridges, and ferries of Chambers County as may be set aside and appropriated by the County Commission, as hereinafter provided; it shall be the duty of said County Commission at some meeting in September of each calendar year or not later than the first meeting in October following by order or resolution spread upon the minutes, to fix and determine the amount of funds which will be available for the purpose of building, maintaining and constructing public roads, bridges and ferries of Chambers County for the current fiscal year, beginning on October 1st, which said amount, other than the salary of said county engineer and his necessary expenses, shall not be exceeded by him in building, maintaining and constructing public roads, bridges and ferries in Chambers County during said period; provided however, that said board is authorized, from time to time within any such period, to increase the amount so allowed to be expended by said county engineer during said period, when such authorization will not conflict with provisions of the general law under the Budget Act Title 12, Section 74, of the Code of Alabama 1940. Provided further, that if such funds are presently available, and have not heretofore been set aside by the present Chambers County Commission, immediately upon the passage and approval of this Act, it shall be the duty of the County Commission herein created to set aside a sufficient portion of said funds for the maintenance of said roads, bridges, and ferries until the meeting in September or October, 1967, as hereinabove provided for.

Section 11. The county engineer shall make written requisition to the chairman of the County Commission for all materials, machinery, equipment, and necessary supplies needed for the construction, maintenance, or repair of the public roads, bridges and ferries of Chambers County. Said requisitions shall be filed and presented by the chairman to the County Commission at its next meeting, for the approval of the board. Provided, however, that the chairman shall have full power and authority to make said purchases without first obtaining the approval of the whole board if the delay caused by the hereinabove procedure, might in his judgment, cause a unnecessary and harmful interruption in the operation of the county road system.

Section 12. It shall be the further duty of the county engineer to inspect all materials, machinery, equipment, and supplies, purchased by Chambers County for use on public roads, bridges, and ferries, when the same is delivered, and the same shall not be accepted and paid for without it first having been approved by him.

Section 13. In the event an emergency should arise, in which it would be impossible for the County Commission to employ an engineer, as hereinabove provided for, then, in that event the County Commission shall employ a competent road supervisor who need not be an engineer, but, when so employed, he shall have all the duties and authority of said engineer, and be subject to the provisions of this Act; but an emergency shall not exist so long as the state highway director can nominate an engineer who will accept employment by said board under the terms of this Act, it being the intention of this Act to provide that, when county roads are to be maintained or constructed in said county, the supervision thereof shall be either under a county engineer, as hereinabove provided for, or, by a road supervisor, who is not a member of the County Commission.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bonnie Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1971.

MRS. BONNIE HAND.

Sworn to and subscribed before me August 6, 1971.

MARION CLARK ALLEN,  
Notary Public.

Also:

By Messrs. Crawford and Connell:

H. 2252. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Also:

By Messrs. Hill and Flippo:

H. 2263. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census, to create a Civil Service Board in said counties to assure the more efficient operation of the Sheriff's Department; to provide for the composition, powers, duties, and compensation for such boards; and to establish certain employee management policies for the Sheriff's Department in said counties.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1662, 2066, 2090, 2091, 2199, 2200, 2214, 2224, 2225, 2226, 2227, 2228, 2252, 2263. To the Committee on Local Legislation No. 1.

H. B. 2218. To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Snell:

H. 2308. Relating to counties having a population of not less than 35,000 nor more than 38,000 according to the last federal decennial census; abolishing the Court of County Commission of such counties, and creating in lieu thereof a County Commission; dividing such counties into Commissioner's Districts; providing for the election, term and qualifications of the commissioners; and relieving the probate judge of all duties with respect to the county governing body.

Also:

By Mr. Snell:

H. 2309. To apply only to counties having a population of not less than 35,000 nor more than 38,000 according to the last federal decennial census; relieving the chief clerk of the probate judge of such counties of any duties as purchasing agent for the county, and authorizing the governing body to appoint another such purchasing agent.

Also:

By Mr. Casey:

H. 2311. To provide that the county commission shall set the salary of deputy sheriffs at an amount not to exceed \$700 per month in counties having a population of not less than 17,000 nor more than 20,000 according to the most recent federal decennial census.

Also:

By Messrs. Turner and Cottingham:

H. 2314. To amend Act No. 178, H. 21 of the 1961 Special Session (Acts 1961, p. 2147), which authorizes each county to promote its development by acquiring and leasing property suitable for certain industrial and commercial purposes and for the purpose of financing such acquisition to issue revenue bonds and pledge to the payment of such bonds the rentals of such properties, amending the title and Sections 1, 2, 3 and 4 of such act so as to authorize counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census, to acquire properties suitable for facilities for the federal government and to lease such properties to the federal government in the same manner authorized for other projects under this act; and to exempt bonds issued hereunder from the usury laws.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2320. To amend the title and Section 1 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended, which authorizes county governing bodies to provide for payment of expenses of certain county officers, in certain counties on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2321. To amend the title and Section 1 of Act No. 54, H. 10, Regular Session 1967 (Acts 1967, p. 381), which authorizes the county commission to provide an additional clerk-hire allowance to the circuit clerk in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2322. To amend the title and Section 1 of Act No. 185, H. 368, Regular Session 1961 (Acts 1961, p. 227), which provides for and authorizes clerk hire allowances for certain officials in certain counties on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2323. To amend the title and Section 1 of Act No. 189, H. 245, Special Session 1964 (Acts 1964, p. 254), which provides for the appointment of deputy sheriffs and fixes their salaries in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2324. To amend the title and Section 1 of Act No. 154, H. 746, Regular Session 1965 (Acts 1965, p. 218), as last amended, which creates the office of commissioner of licenses, prescribes the powers, duties, and authority of such office, fixes the salary, furnishes quarters, supplies and assistants, and provides for the appointment of such commissioner, transfers certain of the duties of the probate judge relating to licenses to such officer, certain of the duties of the tax assessor and tax collector, and all of the duties of the license inspector in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2325. To amend the title and Section 1 of Act No. 33, H. 7, First Special Session 1963 (Acts 1963, p. 107), which authorizes, provides for the licensing of, and regulates the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds, prescribes the fees for such licenses, provides for their collection and distribution, and prescribes penalties for violation of said Act, in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2326. To amend the title and Section 1 of Act No. 826, S. 405, Regular Session 1965 (Acts 1965, p. 1548), which relates to admissibility of evidence in civil actions in the courts of certain counties classified on a population basis, requires copies to be furnished of written statements taken with respect to accidents about which civil actions may be filed to the person making such statements, and prescribes the effect of failure to furnish such copies as are required to certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2327. To amend the title of Act No. 283, H. 981, Regular Session 1969 (Acts 1969, p. 619), which validates certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts 1953, p. 472), and which amends said Act No. 404 so as to provide further for notice required of the election of the first council after a city elects this form of government, and provides for holding and conducting the elections of the first and subsequent city council in certain cities classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2328. To amend the title and Section 1 of Act No. 806, H. 1267, Regular Session 1965 (Acts 1965, p. 1507), which provides for the introduction of hospital records from any hospital organized and operated under state laws as evidence in any court in Alabama, provides for the certifying of said records, enumerates such matters as shall affect the weight of said evidence in the courts, provides for the cost and taxing thereof for such copy and for the filing of said copy, and provides for subpoena duces tecum thereof in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2329. To amend the title and Section 1 of Act No. 487, H. 699, Regular Session 1967 (Acts 1967, p. 1182), which provides an expense allowance for the district attorney of the circuit court; fixes the expiration date of such expense allowance in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2330. To amend the title and Section 1.01 of Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits the adoption of the council-manager form of municipal government, provides for the calling and holding of elections to vote thereon, provides for the election, terms of office, qualification numbers, powers, and authority of the council, mayor, and the city clerk, provides for the appointment and removal and defines the powers of the city manager, defines the legal status, form of government and powers of the city, provides for an annual budget, creates and defines the powers and duties of a department of finance and the director thereof, regulates purchases and contracts of the city, to set up terms and effects of succession in government in said city, provides for the establishment of wards, and provides for the means of abandoning the council manager form of government in certain cities classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2331. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Also:

By Messrs. Merrill, Stewart and Burgess:

H. 2332. To amend the title and Section 1 of Act No. 99, S. 34, Second Special Session 1963 (Acts 1963, p. 278), which regulates further the method of summoning jurors in certain counties classified on a population basis.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2308, 2309, 2311, 2314, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331 and 2332. To the Committee on Local Legislation No. 1.



## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owens:

H. 2286. Relating to Hale County; to regulate the compensation of members of the county board of registrars, board of equalization, and jury commission; providing for payment of additional compensation from the county treasury.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Hale County; to regulate the compensation of members of the county board of registrars, board of equalization, and jury commission; providing for payment of additional compensation from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. In Hale County, each member of the county board of registrars, board of equalization, and jury commission shall receive fifteen dollars (\$15) per day for each day's attendance upon the session of such board of commission. Of this, ten dollars (\$10) per day shall be paid by the state as prescribed by Act No. 531, S. 101, Regular Session 1947 (General Acts 1947, p. 388) as amended, and the remaining five dollars (\$5) shall be paid from the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me August 12, 1971.

WILLIE L. ARRINGTON,  
Notary Public.

Also:

By Mr. Owens:

H. 2287. Relating to Hale County; to fix expense allowances of the county commission with retroactive effect.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Hale County; to fix expense allowances of the county commission with retroactive effect.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the Hale County Commission, including the chairman, shall be reimbursed for actual expenses while out of the county in performance of his duty.

Section 2. The provisions of this Act shall be retroactive to August 1, 1965.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me August 12, 1971.

WILLIE L. ARRINGTON,  
Notary Public.

Also:

By Mr. Owens:

H. 2288. Relating to Hale County; to authorize, direct, and require the county commission to cover the employees of the county under the Workmen's Compensation Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Hale County; to authorize, direct, and require the county commission to cover the employees of the county under the Workmen's Compensation Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Hale County Commission is hereby authorized, directed, and required to file forthwith upon the passage of this Act written notice of the county's election to accept the provisions of Article 1 and 2 of Chapter 5, Title 26, Code of Alabama (1940), as amended, and cover the employees of the county under the Workmen's Compensation Act.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me August 12, 1971.

WILLIE L. ARRINGTON,  
Notary Public.

Also:

By Mr. Owens:

H. 2289. Relating to Hale County; to provide an additional expense allowance for the members of the county board of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Hale County; to provide an additional expense allowance for the members of the county board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the county board of education of Hale County shall be allowed and paid the sum of \$17.50 per meeting, to cover the expenses incurred by them in and about the performance of their duties as such officers. This allowance shall be in addition to any salary of per diem allowance now allowed to them by law, and shall be paid to them monthly out of the public school funds of the county.

Section 2. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me August 12, 1971.

WILLIE L. ARRINGTON,  
Notary Public.

Also:

By Mr. Owens:

H. 2290. Relating to Hale County; fixing the fee for issuance of pistol permits by the sheriff and providing for disposition and use of such fees.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Hale County; fixing the fee for issuance of pistol permits by the sheriff and providing for disposition and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In Hale County, the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or by a person as provided in Code of Alabama Title 14, Section 177, shall be five dollars, which shall be collected by the sheriff and deposited by him in the county treasury. Such fee shall be credited to a special fund or account in the county treasury and shall be used exclusively by the sheriff for law enforcement purposes, in such amounts and at such times as may be approved by the county commission.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me August 12, 1971.

WILLIE L. ARRINGTON,  
Notary Public.

Also:

By Mr. Owens:

H. 2291. Relating to certain offices and officers of Bibb County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA  
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to certain offices and officers of Bibb County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Bibb County shall receive compensation as follows:

- (a) For the Judge of Probate, an annual salary of \$15,000;
- (b) For the Tax Assessor, an annual salary of \$8,400;
- (c) For the Tax Collector, an annual salary of \$8,400;
- (d) For the Circuit Clerk, an annual salary of \$8,400;
- (e) For the Register of the Circuit Court, an annual salary of \$3,600;

Section 2. Such salaries are to be the entire compensation received by any of the above county officers for his services and shall be in lieu of all fees, commissions, allowances, percentages and other charges heretofore paid to any such officers, except as provided herein shall be paid in equal monthly installments out of the general fund of the county.

Section 3. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of said officers, shall hereafter be collected and paid into the general fund of the county, except as provided herein.

Section 4. The governing body of Bibb County shall provide each of the above officers with such office personnel, clerks, deputies, and such quarters, books, stationery, furniture, equipment and other such conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices. Compensation of any personnel so provided shall be fixed by said governing body and shall be paid in equal monthly installments out of the general fund of the county.

Section 5. The Tax Collector shall be entitled to receive commissions on taxes in accordance with the provisions of Title 51, Section 191, Code of Alabama Recompiled 1958, on all taxes collected by him through December 31, 1971. He shall also be entitled to an allowance of \$50 per month for clerical assistance in addition to any other allowance now payable.

Section 6. The Tax Assessor shall be entitled to receive from the Tax Collector  $\frac{1}{4}$  (25 percent) of commissions as provided for in Title 51, Section 30, Code of Alabama Recompiled 1958, for 1972 assessments, on all regular assessments; including real estate and personal property for Corporations and Public Utilities. The above commissions to be based on net taxes collected. (Insolvents; Errors; Litigations and Homesteads or other taxes which the Collector has been unable to collect are not subject to commissions). Commissions on Motor Vehicle assessments shall be paid to the Assessor through December 31, 1971. The Tax Assessor shall also receive an allowance of \$1200 per annum for expenses in connection with plat, abstract and lot books. He shall also receive an allowance of \$100 per month for clerical assistance.

Section 7. The probate judge shall be entitled to receive an allowance for clerical assistance which shall not exceed \$7,200 per annum to be paid in equal monthly installments from the county treasury.

Section 8. The circuit clerk shall be entitled to receive an allowance for clerical assistance which shall not exceed \$4,800 per annum, to be paid in equal monthly installments from the county treasury.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this Act are repealed.

Section 11. This Act shall become effective as to each officer named herein upon the first day of the month next following the month in which an amendment to the Constitution of Alabama authorizing the Legislature to so regulate the compensation of such officers has been ratified and proclaimed as prescribed by law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the CENTREVILLE PRESS, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

J. W. OAKLEY, SR.

Sworn to and subscribed before me August 12, 1971.

FRANCES N. BAKER,  
Notary Public.

Also:

By Mr. Owens:

H. 2292. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Bibb County; and the regulation of costs and charges of courts in said county.

Also:

By Mr. Owens:

H. 2293. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Bibb County.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

##### STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Bibb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of incorporated municipalities in Bibb County, the governing body of any public hospital in Bibb County, and the Bibb County Commission or other like governing body of the county, may, jointly or severally, establish within the county, or within any town or city in the county, an ambulance service for the benefit of the sick, infirm or injured, and may make all needful rules and regulations for control and management of such service. The above named governing bodies may jointly or severally enter into any agreement or contract with any individual or company to provide such service, and may appropriate public funds for such purpose.

Section 2. The provisions of this Act are cumulative.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the CENTREVILLE PRESS, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1971.

J. W. OAKLEY, SR.

Sworn to and subscribed before me August 7, 1971.

FRANCES N. BAKER,  
Notary Public.

Also:

By Mr. Owens:

H. 2294. Relating to Bibb County, providing further for the election of members of the governing body of said county.

With notice and proof thereto attached and herewith exhibited as follows:



## LEGAL NOTICE

STATE OF ALABAMA  
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Bibb County, providing further for the election of members of the governing body of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. Each Commissioner of the governing body of Bibb County, when he is elected and throughout the time in which he serves shall reside in and be a qualified elector of the district he represents; but all such Commissioners shall be elected by the qualified electors of the county.

Section 2. Bibb County shall remain in four districts, numbered one through four. District No. 1 shall be composed of beats 1, 2, 11, 13, all of beat 9 lying west of Alabama State Highway 5, and Sections 14, 15, 16, 17, Township 23, Range 9E in beat 4. District No. 2 shall be composed of beats 3, and all of 4 except Section 14, 15, 16, 17, Township 23, Range 9E. District 3 shall be composed of beats 5 and 7. District 4 shall be composed of beats 6, 8, 10, 14, and all of beat 9 lying east of Alabama State Highway 5. The word "beats" as herein used means the election beats or precincts into which Bibb County is divided pursuant to law on the date on which this act becomes law.

Section 3. The Commissioners shall be elected for overlapping terms. The Commissioners now serving on the effective date of this Act from districts 2 and 4, shall serve from those districts until the expiration of the terms for which they have heretofore been elected. The remaining Commissioners shall be elected in the general election to be held in 1972. All Commissioners shall serve for four year terms.

Section 4. Each Commissioner of the county governing body shall receive a monthly salary of \$300, and \$100 per month expense allowance, both payable from the county treasury.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the CENTREVILLE PRESS, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

J. W. OAKLEY, SR.

Sworn to and subscribed before me August 12, 1971.

FRANCES N. BAKER,  
Notary Public.

Also:

By Mr. Owens:

H. 2295. To authorize the county governing body of Bibb County to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To authorize the county governing body of Bibb County to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Bibb County is hereby authorized to make an annual appropriation from any funds available in the county treasury for such purpose and not otherwise appropriated, to the tax assessor and tax collector for clerk hire allowances. The amount of such annual appropriation shall be within the discretion of such governing body.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the CENTREVILLE PRESS, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1971.

J. W. OAKLEY, SR.,  
Publisher.

Sworn to and subscribed before me August 7, 1971.

FRANCES N. BAKER,  
Notary Public.

Also:

By Mr. Owens:

H. 2296. To provide for reimbursing the chairman or other presiding officer and the members of the county governing body of Bibb County for certain expenses incurred in travel outside their county.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

STATE OF ALABAMA  
COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To provide for reimbursing the chairman or other presiding officer and the members of the county governing body of Bibb County for certain expenses incurred in travel outside their county.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman or other presiding officer of the county governing body of Bibb County and each member thereof shall be entitled to be reimbursed for the actual amount of any reasonable expenses incurred when traveling outside the county in connection with his official duties or in attending meetings of associations of county commissioners or like associations of county officials charged with duties similar to the duties of such county governing body. This expense allowance shall be in addition to any and all other compensation or allowances prescribed by law for the chairman or other presiding officer and the members of such governing body.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective September 1, 1971.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the CENTREVILLE PRESS, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1971.

J. W. OAKLEY, SR.

Sworn to and subscribed before me August 7, 1971.

FRANCES N. BAKER,  
Notary Public.

Also:

By Mr. Owens:

H. 2297. To repeal Act No. 865, H. 1192, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1576) entitled, "An Act To provide for reimbursing the chairman or other presiding officer and the members of the county governing bodies of all counties having populations of not less than 14,300 nor more than 14,800 according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county."

Also:

By Mr. Owens:

H. 2298. To repeal Act No. 933, H. 1347, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1670) entitled, "An Act Relating to counties having populations of not less than 14,300 nor more than 14,800, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws."

Also:

By Mr. Owens:

H. 2299. To repeal Act No. 503, H. 1101, approved, August 20, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 743) entitled, "An Act To apply only in counties of the state having populations of not less than 14,300 nor more than 14,800 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298 and 2299. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 2292, was read a first time at length as required by the Constitution.)

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mathews, Williams, Drake, Turner, Easters and Grainger:

H. 1801. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1801. To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Headley:

H. 2231. Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Chilton County shall receive compensation as follows:

- (a) For the Judge of Probate, an annual salary of \$13,500;
- (b) For the Sheriff an annual salary of \$13,000;
- (c) For the Coroner, an annual salary of \$900;
- (d) For each associate member of the County Commission, or other like governing body, an annual salary of \$4,000;
- (e) For the County Solicitor for Chilton County an annual salary of \$4,800;
- (f) For the Judge of the Law and Equity Court for Chilton County, an annual salary of \$13,500;
- (g) For the Tax Assessor, an annual salary of \$10,000;
- (h) For the Tax Collector, an annual salary of \$10,000.

Section 2. Such salaries are to be the entire compensation received by any of the above county officers for his services and shall be in lieu of all fees, commissions, allowances, percentages and other charges heretofore paid to any such officer, and shall be paid in equal monthly installments out of the general fund of the county.

Section 3. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of said officers, shall hereafter be collected and paid into the general fund of the county.

Section 4. The governing body of Chilton County shall provide each of the above officers with such office personnel, clerks, deputies, and such quarters, books, stationery, furniture, equipment, and other such conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices. Compensation of any personnel so provided shall be fixed by said governing body and shall be paid in equal monthly installments out of the general fund of the county.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each officer named herein upon the first day of the month next following the month in which an amendment to the Constitution of Alabama authorizing the Legislature to so regulate the compensation of such officers has been ratified and proclaimed as prescribed by law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. E. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on July 15, 22, 29, and Aug. 5, all in the year 1971.

T. E. WYATT.

Sworn to and subscribed before me August 12, 1971.

PLUMA B. MUNCY,  
Notary Public.

Also:

By Mr. Headley:

H. 2232. To consolidate and combine the offices of circuit clerk and register in equity for Chilton County, subject to the ratification of a constitutional amendment.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To consolidate and combine the offices of Circuit Clerk and Register In Equity for Chilton County, subject to the ratification of a constitutional amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the effective date of this act, the circuit clerk of Chilton County shall become the Ex-Officio Register In Equity for said county, and all powers and duties of the Register shall be conferred on and shall be exercised by the Circuit Clerk of Chilton County.

Section 2. The Circuit Clerk of Chilton County shall receive an annual salary of \$10,000, which shall be his entire compensation for his services. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of the Register In Equity and the Circuit Clerk shall be paid into the general fund of the county.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective on the first day of the month next following the month in which an amendment to the Constitution of Alabama authorizing the Legislature to combine such offices is ratified and proclaimed as prescribed by law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. E. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, 22, 29, and Aug. 5, all in the year 1971.

T. E. WYATT.

Sworn to and subscribed before me August 12, 1971.

PLUMA B. MUNCY,  
Notary Public.

Also:

By Messrs. Carter and Cross:

H. 2233. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Athens, Alabama, are hereby altered, rearranged, and extended so as to include within the corporate limits of the said City of Athens, Alabama, the following described territory or area in Limestone County, Alabama, more particularly described as follows:

Beginning at a point on the North margin of U. S. Highway No. 72 By-Pass, said point being 500 feet West of the intersection of the north margin of said U. S. Highway No. 72 By-Pass with the Eastern boundary of Section 13, Township 3 South, Range 5 West, and from said point of beginning, run thence West and along the North margin of said U. S. Highway No. 72 By-Pass to a point where the said highway intersects the West boundary of the Northeast Quarter of the Northwest Quarter of Section 13, Township 3 South, Range 5 West; run thence South 3 degrees 05 minutes East a distance of 520 feet; thence North 87 degrees 20 minutes East 690 feet; thence South 3 degrees 05 minutes East 175 feet; thence South 40 degrees 19 minutes East 62.80 feet; thence South 3 degrees 5 minutes East 150 feet; thence South 44 degrees 37 minutes West 81.4 feet; thence South 3 degrees 05 minutes East 330 feet; thence South 50 degrees 45 minutes East 81.4 feet; thence South 3 degrees 05 minutes East 350.5 feet; thence South 25 degrees 10 minutes West 90 feet; thence South 6 degrees 11 minutes West 90 feet; thence South 31 degrees 18 minutes East 530 feet; thence South 73 degrees 55 minutes East 88.7 feet; thence South 31 degrees 18 minutes East 150 feet; thence South 66 degrees 13 minutes East 61.25 feet; thence South 31 degrees 18 minutes East 200.5 feet; thence North 87 degrees 20 minutes East 130 feet; thence South 3 degrees 05 minutes East 815 feet, more or less, to a point on the South boundary line of the Brownsferry Road; thence in a Northeasterly direction along the South boundary line of said road to a point on the South Boundary line of said road which is 500 feet West of the East boundary line of Section 13, township 3 South, Range 5 West; thence North 500 feet West of and parallel to the East boundary line of said Section 13 to the point of beginning, LESS AND EXCEPT from the hereinabove described real estate Block 3 of Vestavia Estates, according to the map or plat of said Vestavia Estates on file in the Office of the Judge of Probate of Limestone County, Alabama, in Plat Book "C", Page 64.



Section 2. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edna Brackeen, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Asst. Adv. Manager of the Athens News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 16 July, 23 July, 30 July, and 6 August, all in the year 1971.

EDNA BRACKEEN.

Sworn to and subscribed before me Aug. 7, 1971.

W. R. NELSON.

Commission Expires 7-16-74.

Also:

By Mr. Turnham:

H. 2234. Relating to all counties having populations of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census; to provide \$15.00 per day for each of the members of the Board of Registrars while said Board is in session, and to provide the method of payment thereof.

Also:

By Mr. Turnham:

H. 2235. Relating to counties having a population of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census; to provide for a sheriff allowance for feeding prisoners and to further provide for the sheriff to retain the fees and allowances for transporting insane and juvenile prisoners.

Also:

By Mr. Turnham:

H. 2236. Relating to counties having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, to provide that the county governing body of any such county that levies any tax on persons selling or distributing malt or brewed beverages in such counties may employ such personnel as may be needed to collect and enforce the tax and shall fix their compensation and tenure and shall deduct all reasonable expenses for collection and enforcement of such tax from the proceeds thereof.

Also:

By Messrs. Carnes, Waldrop and Wynot:

H. 2240. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent Federal decennial census; to designate the chairman of Solid Waste and Park and Recreation Authorities in such counties; to authorize Solid Waste and Park and Recreation Authorities in such counties to adopt bylaws.

Also:

By Messrs. McDonald and Drake:

H. 2243. To alter, rearrange, and extend the boundary lines of the corporate limits of the City of Arab in Marshall County; to limit the Sanitary Sewer Board of the City of Arab from operating within the annexed area; and to establish the effective date of the act.

With notice and proof thereto attached and herewith exhibited as follows:

#### NOTICE

#### STATE OF ALABAMA COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundary lines of the corporate limits of the City of Arab in Marshall County; to limit the Sanitary Sewer Board of the City of Arab from operating within the annexed area; to provide a procedure for removing the limitation; and to establish the effective date of the act.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Arab in Marshall County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within such corporate limits of the city, certain land lying and being in Marshall County and more particularly described as follows:

TRACT "A"—Starting at the SW corner of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 22, Township 8 South, Range 1 East, a point on the existing city limits; thence North 5,280 ft. to the SW corner of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 15, Township 8 South, Range 1 East; thence East 5,280 ft. to the NE Corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 15, Township 8 South, Range 1 East, a point on the existing city limits, and including all encompassed area therein.

TRACT B"—Starting at the SE corner of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 19, Township 8 South, Range 2 East, a point on the existing city limits; thence East to the intersection of the center line of Clemons Branch; thence in a generally Northeasterly direction along the center line of Clemons Branch to the intersection of the center line of Shoal Creek; thence in a generally Northwesterly direction along the center line of Shoal Creek to a point on the North line of Section 17, Township 8 South, Range 2 East; thence West along said line to the NW

corner of said Section 17; thence continue West 10,560 ft. to the NW corner of Section 13, Township 8 South, Range 1 East; thence North 6,600 ft. to the NE corner of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 2, Township 8 South, Range 1 East; thence West 6,600 ft. to the NW corner of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 3, Township 8 South, Range 1 East; thence South 1,320 ft. to the SW corner of said  $\frac{1}{4}$ ; thence East 1,320 ft. to the SE corner of said Section 3; thence South 5,280 feet. to the SW corner of Section 11, Township 8 South, Range 1 East, to a point on the existing city limits, and including all encompassed area therein.

Section 2. The sanitary sewer board of the City of Arab is hereby expressly prohibited from increasing its existing services and functions in the area annexed to the City of Arab under this act for a period of 10 years or until such time as this restriction is removed by the qualified electors residing in the annexed area as hereinafter provided.

Section 3. Before the services and functions of the sanitary sewer board of the City of Arab can be increased or added to in the annexed area during the 10-year period succeeding the passage of this act, the qualified electors residing in the area shall vote in an election called by the governing body of the City, at the request of 25 percent of the voters residing in the annexed area, on the proposition of whether or not they desire to accept the services of the sanitary sewer board of the City of Arab. The proposition of whether or not such voters desire to accept the services of said sanitary sewer acceptance of sewer board services" or "Against acceptance of the sewer board services". The vote on such proposition shall be ascertained and certified in the same manner as are the results of other special elections held in municipalities in Alabama. If a majority of the voters vote for acceptance of sanitary sewer board services, such services shall be provided for the area annexed, and if a majority of such voters vote against the acceptance of such services, such services shall not be provided for the said annexed area.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective on October 15, 1971, upon its prior passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1971.

EWELL H. REED.

Sworn to and subscribed before me Aug. 9, 1971.

OSCAR B. HARBIN.

My Commission Expires October 1, 1971.

Also:

By Messrs. Wynot, Waldrop and Carnes:

H. 2248. Relating to the meetings of Boards of Registrars in Counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; and providing further for the acceptance of applications for registration in such counties.

Also:

By Messrs. Ellis, Timmons, Parker (H) and Cherner:

H. 531. To alter and extend the boundaries of the City of Tarrant City, Alabama: To provide for an election to submit to the qualified voters of the territory to be annexed to said City of Tarrant City for their approval or rejection of such alterations and extension.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN OF INTENTION TO APPLY AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1971 FOR THE ADOPTION OF AN ACT WHICH WILL BE AS FOLLOWS:

#### AN ACT

To alter and extend the boundaries of the City of Tarrant City, Alabama: to provide for an election to submit to the qualified voters of the territory to be annexed to said City of Tarrant City for their approval or rejection of such alterations and extension.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Tarrant City, in the County of Jefferson, State of Alabama, are, subject to the other provisions hereof, hereby altered and extended so that said boundaries shall include within the corporate limits of said City all of the following described additional property not presently located in said City, to-wit:

Begin at the NW corner of the present Tarrant City Limits, said point being the intersection of the centerline of Five Mile Creek with the East Right of way line of the Louisville and Nashville Railroad, situated in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 6, Township 17, Range 2 West, thence run northerly along said East right-of-way of Railroad a distance of 17,424 feet more or less to the intersection with the North line of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 19, Township 16 South, Range 2 West, run thence East along the  $\frac{1}{4}$ - $\frac{1}{4}$  Section lines a distance of 11,864 feet more or less to the intersection with the South right-of-way line of Pawnee Road; thence Southeasterly along said right-of-way a distance of 3,070 feet more or less to the intersection with the West right-of-way line of the Tarrant Pinson Road, thence Southwesterly along said West right-of-way a distance of 4,630 feet more or less to the intersection with the West line of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 28, Township 16 South, Range 2 West, thence South along the  $\frac{1}{4}$ - $\frac{1}{4}$  Section lines a distance of 10,068 feet more or less to the NE corner of the present Tarrant City Limits, said point being the SE corner of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 4, Township 17 South, Range 2 West, thence along the present Tarrant City limits to the point of beginning. All of said land being situated in Jefferson County, Alabama.

Section 2. Within ten days after the approval of this act by the Governor, or its otherwise becoming a law, the Judge of Probate of Jefferson County, Alabama shall make and enter an order upon the minutes of said court, directing and ordering an election to be held by the qualified voters residing within the territory described, which is to be annexed to said city, said election to be held within forty days from the entry of said order. Said election shall be held to determine whether or not a majority of the voters residing within the territory above described to be annexed to said City favor the annexation to said City of said territory above described. Said Judge shall give notice of the holding of said election by publication in a newspaper of general circulation published in Jefferson County, Alabama, once a week for four weeks preceding the date of said election and also by posting notices at three public places in the part of said territory annexed to said City by this act, which notices shall state the date on which said election is to be held, the voting place or places, designated by the Judge of Probate of said county, the boundaries in which voters must reside to vote at the respective voting places, which must be within the territory annexed to said city by this act, and said notices must give a description of the territory so annexed, and must state that a map of said territory is on file in the office of the Judge of Probate of said County, open to the inspection of the public.

Section 3. The Judge of Probate of said county may designate as many places within the territory hereby annexed to said city as he may deem necessary for the convenience of the voters, and must designate the boundaries within which the voters must reside to vote at the respective voting places, and shall appoint three inspectors of election, two clerks and one returning officer for each voting place, which inspectors shall manage the election at the respective voting places at which they are appointed as inspectors.

Section 4. Each qualified voter who has resided within the boundaries of the territory hereby annexed to said City for three months next preceding the election may vote at said election, but must vote at the voting place designated by the Judge of Probate for voters in the territory in which he resides.

Section 5. Said election must be conducted in all respects as provided by the general election laws and under the same sanction and penalties, except as changed by the provisions of this Act. There shall be no voting by absentee ballot.

Section 6. The Judge of Probate shall furnish ballots for such election with the following words written or printed thereon:

"For Annexation," if the voter desires to vote in favor of annexing the territory to the city, or "Against Annexation," if the voter desires to vote against annexing the territory to the City. It shall not be necessary for the ballot to be of any particular size, form or color, but sufficient ballots shall be provided for the accommodation of all prospective voters at the several voting places.

Section 7. The inspectors at the respective voting places must, as soon as the polls are closed, ascertain and certify the results of the election at their respective voting places to the Judge of Probate, and deliver the same to the returning officer, who must at once return the same to the Judge of Probate and said Judge must canvas the returns as made by the inspectors, and if it appears that a majority of the votes cast at the election were "for annexation," said judge shall make and enter an order on the records of said Probate Court recording such facts, and from the time of the entry of such order this act shall be fully effective and the boundaries of said City of Tarrant City shall be as

above set forth. If it appears that a majority of the votes cast at the election are "against annexation," the Judge of Probate shall make and enter an order on the records of said court recording such fact, and this act shall not be effective, and the boundaries of said City shall be and remain as they were before the passage of this act.

Section 8. The result of such election may be contested by any qualified elector voting at the election under the same provisions as are provided by general law for contesting the election of a Justice of the Peace, making the City the contestee. The City of Tarrant City shall pay all costs and expenses incident to the election.

Section 9. The Probate Judge shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and all other officers shall be entitled to the same compensation for services rendered by them, as they are authorized by law to charge and collect for similar services rendered by them, and said City of Tarrant City shall pay all costs and expenses, except in the case of a contest as herein provided.

#### AFFIDAVIT OF PUBLICATION

##### STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 1, 8, 15, 22, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,  
Publisher.

Sworn and subscribed to on this the 24th day of May, 1971.

KAREN W. ABERCROMBIE,  
Notary Public.

Also:

By Messrs. Timmons, Parker (H), Jones (E), Waggoner, Wallace, Falkenburg, Erdreich, Boutwell and Doss.

H. 1387. To further amend Section 12, sub-paragraph (k) of Act No. 929 of the Regular Session of the Legislature of Alabama 1951, approved September 12th, 1951, (General Acts of Alabama 1951, Page 1579, et seq.) entitled "An act to create or provide in or for each and every city of the State of Alabama having a population of 250,000 or more inhabitants according to the last or any succeeding Federal Census, a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and subordinately to define officers and employees of the Board of Health of any County in which any such city may be located as officers and employees of such city for the purpose or retrospective and prospective application of the terms or provisions of such system."

Also:

By Messrs. Meeks, Erdreich and Falkenburg:

H. 2137. To propose an amendment to the Constitution of Alabama authorizing the Mountain Brook School District in Jefferson County to levy and collect, subject to approval of the qualified electors of the said district, a special district ad valorem tax for public school purposes in the said district.

Also:

By Messrs. Dill, Parker (H), Timmons, Doss, Falkenburg, Erdreich, Boutwell, McBride, Meeks, Wallace, Bowers, Gloor, Cherner and Adwell:

H. 2222. To authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 1500 feet of any public hospital of the County, in order to provide parking for employees, hospital staff, and others having business with or visiting such hospital, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy and collect or to fix charges and fees for the use of such off-street parking facility and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required.

Also:

By Messrs. Robertson and Parker (T):

H. 2050. Relating to Circuits composed of one County having a population of not less than 110,000 nor more than 160,000: To create and establish therein the office of exofficio judge of any county court exercising original jurisdiction over general misdemeanor cases.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2231, 2232, 2233, 2234, 2235, 2236, 2240, 2243, 2248 and 2050.

H. B.'s 531, 1387, 2137 and 2222. To the Committee on Local Legislation No. 2.

(The above numbered Bill, H. B. 2137, was read a first time at length as required by the Constitution.)

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mathews, Williams, Turner, Easters, Drake, Grainger and Robertson:

H. 1804. To make appropriations from the State Treasury for capital improvements.

Also:

By Messrs. Grainger, Hobbie, Easters, Williams, Robertson, Turner, Stubbs, Pruitt and Drake:

H. 1800. To amend Section 183, Title 51, Code of Alabama 1940 to provide for a license tax on telegraph business measured by gross receipts rather than the mileage of the telegraph line, or lines, operated by it in the State.

Also:

By Messrs. Hobbie, Williams and Stubbs:

H. 1815. To amend Title 51, Section 180, Code of Alabama 1940, as amended, to delete the provision for the exemption of the first one hundred fifty thousand dollars from taxation.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1804, 1800 and 1815. To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owens:

H. 2275. Relating to Hale County; to authorize the county commission to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:



A BILL  
TO BE ENTITLED  
AN ACT

Relating to Hale County; to authorize the county commission to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance.

Be It Enacted by the Legislature of Alabama:

Section 1. The Hale County Commission is hereby authorized to make an annual appropriation from any funds available in the county treasury for such purpose and not otherwise appropriated to the tax assessor and tax collector for clerk hire allowances. The amount of such annual appropriation shall be within the discretion of said county commission.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me August 12, 1971.

WILLIE L. ARRINGTON,  
Notary Public.

Also:

By Mr. Owens:

H. 2276. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Hale County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Hale County.

**Be It Enacted by the Legislature of Alabama:**

Section 1. The governing body of incorporated municipalities in Hale County, the governing body of any public hospital in Hale County, and the Hale County Commission or other like governing body of the county, may, jointly or severally, establish within the county, or within any town or city in the county, an ambulance service for the benefit of the sick, infirm or injured, and may make all needful rules and regulations for control and management of such service. The above named governing bodies may jointly or severally enter into any agreement or contract with any individual or company to provide such service, and may appropriate public funds for such purpose.

Section 2. The provisions of this Act are cumulative.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**PROOF OF PUBLICATION****STATE OF ALABAMA****COUNTY OF HALE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

**EDWARD E. LOWRY, JR.**

Sworn to and subscribed before me August 12, 1971.

**WILLIE L. ARRINGTON,**  
Notary Public.

Also:

By Mr. Owen:

H. 2277. Relating to Hale County; regulating the insuring of public school buildings and the contents thereof.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA****COUNTY OF HALE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Hale County; regulating the insuring of public school buildings and the contents thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. In Hale County, any city or county board of education shall have the authority and is authorized to insure any public school building within its jurisdiction and under its control which may be owned by the state or county or any city in the county together with the equipment, furniture, fixtures, and other property in any such building for the insurable value thereof, with insurance companies of its own choosing and shall not be required to insure such property by or through either the state insurance fund or the state department of finance, any provision of law to the contrary notwithstanding.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Edward E. Lowry, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of The Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

EDWARD E. LOWRY, JR.

Sworn to and subscribed before me August 12, 1971.

WILLIE L. ARRINGTON,  
Notary Public.

Also:

By Mr. Owens:

H. 2278. To repeal Act No. 869, S. 467, approved September 3, 1965, Regular Session 1965 (Acts 1965, p. 1630), entitled, "An Act To apply only in counties having populations of not less than 19,500 nor more than 20,000; regulating the insuring of public school buildings and the contents thereof in such counties."

Also:

By Mr. Owens:

H. 2279. To repeal Act No. 93, H. 237, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 126), entitled, "An Act To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

Also:

By Mr. Owens:

H. 2280. To repeal Act No. 756, H. 1432, approved September 8, 1961, Regular Session 1961 (Acts 1961, p. 1079), entitled, "An Act To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of any county having a population of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census, to cover the employees of the county under the Workmen's Compensation Act."

Also:

By Mr. Owens:

H. 2281. To repeal Act No. 558, H. 571, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1313), entitled, "An Act To apply only in counties having populations of not less than 19,500 nor more than 20,000, fixing the fee for issuance of pistol permits by the sheriff and providing for disposition and use of such fees."

Also:

By Mr. O'Daniel:

H. 2282. To create the office of Supernumerary Probate Judge in any county having a population of not less than 30,000 nor more than 33,575 according to the most recent federal decennial census; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any Supernumerary Probate Judge.

Also:

By Mr. Owens:

H. 2283. To repeal Act No. 877, H. 1221, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1585), entitled, "An Act Relating to all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties."

Also:

By Mr. Owens:

H. 2284. To repeal Act No. 157, H. 176, approved, May 14, 1969, Special Session 1969 (Acts 1969, p. 224), entitled, "An Act To fix expense allowances of courts of county commissioners, boards of revenue or like governing bodies of all counties having a population of not less than 19,500 nor more than 20,000 according to the most recent federal decennial census, with retroactive effect."

Also:

By Mr. Owens:

H. 2285. To repeal Act No. 934, H. 1348, approved, September 12, 1969, Regular Session 1969 (Acts 1969, p. 1671), entitled, "An Act Relating to counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance, to repeal conflicting laws."

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, and 2285. To the Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McDonald, St. John and Drake:

H. 2159. Relating to all counties having a population of not less than 53,000 nor more than 55,000 based on the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county.

Also:

By Messrs. McDonald and Drake:

H. 2160. To repeal Act No. 236, S. 428, approved August 16, 1967, Regular Session (Acts 1967, p. 612) entitled, "An Act to authorize all counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census, and all municipalities and all public hospitals in such counties to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve such counties, municipalities and public hospitals furnishing such service therein from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2161. To authorize counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, and all municipalities and all public hospitals in said counties to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve such counties, municipalities and public hospitals furnishing such service therein from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services.

Also:

By Messrs. McDonald and Drake:

H. 2162. To repeal Act No. 65, H. 99, approved April 23, 1963, Second Special Session 1963 (Acts 1963, p. 227) entitled, "An Act to apply in all those counties in Alabama having not less than 46,500 population and not more than 49,000 population according to the latest or any subsequent federal decennial census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties."

Also:

By Messrs. McDonald and Drake:

H. 2163. To repeal Act No. 797, H. 972, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1439) entitled, "An Act to apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax collector of each of such counties."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2164. Providing additional expense allowances for the tax collector of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

By Messrs. McDonald and Drake:

H. 2165. To repeal Act No. 465, H. 535, approved September 7, 1967, Regular Session 1967 (Acts 1967, p. 1156) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the disposition and use of such fees."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2166. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws.

Also:

By Messrs. McDonald and Drake:

H. 2167. To repeal Act No. 1021, S. 875, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1901) entitled, "An Act to apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional allowances for clerk hire fund for the office of Probate of such counties."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2168. Providing additional allowances for clerk hire fund for the office of Probate in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

By Messrs. McDonald and Drake:

H. 2169. To repeal Act No. 798, H. 973, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1439) entitled, "An Act to apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessor of each of such counties."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2170. Providing additional expense allowances for the tax assessor of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

By Messrs. McDonald and Drake:

H. 2171. To repeal Act No. 109, H. 147, approved August 19, 1966, Special Session 1966 (Acts 1966, p. 140) entitled, "An Act to regulate further the feeding of prisoners in jail in all counties having populations of not less than 47,000 nor more than 49,000, according to the last of any subsequent federal decennial census."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2172. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

Also:

By Messrs. McDonald and Drake:

H. 2173. To repeal Act No. 795, H. 949, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1429) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000; authorizing the county governing body to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county."

Also:

By Messrs. McDonald, St. John and Drake:

H. 2174. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; authorizing the county governing bodies of said counties to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173 and 2174. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Wallace, Timmons, Erdreich, Jones (E), Boles, Ellis, Parker (H), Adwell, Weeks and Doss.

H. 1271. To further amend Sections 4, 12, 14, 16, and 23 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

By Messrs. Hearn, Hale, Grainger, Lutz and King.

H. 2114. Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments.

Also:

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 2122. To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

Also:

By Messrs. King, Lutz, Hearn, Hale and Grainger:

H. 2229. To provide for further clerical assistance to the jury commission in Madison County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for further clerical assistance to the jury commission in Madison County.



Be It Enacted by the Legislature of Alabama:

Section 1. The jury commission in Madison County shall have authority to employ such clerical assistance as such commission deems necessary and proper, and may expend for such clerical assistance in compensation and in paying their reasonable and necessary expense in performing the duties of their employment a sum not to exceed four hundred fifty dollars per month, to be paid out of the county treasury upon the order of the president of the commission. This clerical assistance shall be in addition to the regular jury commission clerk provided by Section 15 of the law of Alabama governing jury commissioners.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1971.

W. C. LEWIS,  
Secretary-Treasurer.

Sworn to and subscribed before me 2nd August, 1971.

OPAL H. DILWORTH,  
Notary Public.

Also:

By Messrs. Lutz, Hale, King, Hearn and Grainger:

H. 2237. Changing the method of collecting and accounting for fees charged for the photographing and microphotographing of public records filed in the offices of the Clerk and Register of the Circuit Court of Madison County, Alabama, and repealing a portion of Act No. 464 of 1959.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Changing the method of collecting and accounting for fees charged for the photographing and microphotographing of public records filed

in the offices of the Clerk and Register of the Circuit Court of Madison County, Alabama, and repealing a portion of Act No. 464 of 1959.

Be It Enacted by the Legislature of Alabama:

1. In each action at law and suit in equity filed or otherwise brought in the Circuit Court of Madison County, there shall be taxed as costs the sum of One and 50 100 (\$1.50) Dollars. The costs taxed under this Act shall be collected as other costs in such cases are collected, and when collected by the Clerk or Register shall be by him paid over to the treasurer or depository of Madison County for deposit in the county treasury.

2. The cost required by this Act to be collected shall be in lieu of the fee imposed under the provision of Act No. 464 of 1959 insofar as those fees relate to instruments, documents, plats, court files, maps, papers, and writings filed or recorded in suits filed or otherwise brought in the Circuit Court of Madison County. The provisions of Section 9 of said Act No. 464 of 1959 are repealed as to all instruments, documents, plats, court files, maps, papers and writings file in the office of the Clerk or Register of the Circuit Court of Madison County, Alabama.

3. All laws or parts of laws in conflict with this Act are hereby repealed.

4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 10, JULY 17, JULY 24, and JULY 31, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me AUGUST 3, 1971.

WILLIAM B. BAKER,  
Notary Public.

My Commission Expires 12-17-73.

Also:

By Mr. Roberts:

H. 1413. To amend further Section 1 of Act No. 192, H. 252, First Special Session 1964 (Acts 1964, p. 256), an Act providing an annual allowance for purchasing uniforms for deputies sheriff in counties having populations of not less than 300,000 nor more than 500,000, so as to regulate further the amount of such allowance.

Also:

By Mr. Roberts:

H. 1415. Relating to Mobile County: To provide further for the distribution of fines and forfeitures in certain cases and the use of the proceeds thereof.

Also:

By Mr. Roberts:

H. 1419. Relating to Mobile County, authorizing the county governing body to appropriate and expend county funds for the purpose of paying certain expenses incurred by members of the auxiliary forces of the sheriff's department or by any member of a posse comitatus summoned by the sheriff to aid him in conserving the peace of the county.

Also:

By Mr. Wood:

H. 1971. Relating to Mobile County; to provide that any monies in the county public highway and traffic fund may be used to pay the salary of any deputy sheriff whose duties require him to patrol the public roads and highways of Mobile County; and to make provisions of this Act retroactive to January 1, 1967.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Mobile County; to provide that any monies in the county public highway and traffic fund may be used to pay the salary of any deputy sheriff whose duties require him to patrol the public roads and highways of Mobile County; and to make provisions of this Act retroactive to January 1, 1967.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Mobile County is hereby authorized to use any of the monies in the public highway and traffic fund in the county treasury for the purpose of paying the salaries of any deputy sheriff of Mobile County whose duties require him to patrol the public roads and highways of the county.

Section 2. The provisions of this Act shall be retroactive to January 1, 1967.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. F. Egan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Comptroller of the The Mobile Press Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 30, July 7, July 14, and July 21, all in the year 1971.

W. F. EGAN.

Sworn to and subscribed before me July 26, 1971.

E. E. KOCH,  
Notary Public.

Also:

By Mr. Wood:

H. 1972. To authorize any county having a population of not less than 300,000 nor more than 600,000, according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty-five (25) years, to provide office space or to pay the expenses of providing office space for a federal, state, county or municipal agency or certain public corporations.

Also:

By Messrs. Therrell, Downing, Stokes, Collins, Callahan, Nettles, Wood and Perloff:

H. 2206. Relating to municipalities having populations of not less than 40,000 nor more than 45,000; to provide for the power to fine, punish, imprison, and sentence to hard labor, prisoners in city jails; to compensate prisoners sentenced to hard labor not to exceed two dollars for each day's service.

Also:

By Messrs. Therrell, Downing, Stokes, Collins, Callahan, Nettles, Wood and Perloff:

H. 2208. To provide that residency within a municipality shall not be a pre-requisite to employment by municipalities having populations of not less than 40,000 nor more than 45,000.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2114, 2122, 2229, 2237, 1413, 1415, 1419, 1971, 1972, 2206, 2208. To the Committee on Local Legislation No. 1.

H. B. 1271. To the Committee on Local Legislation No. 2.

#### FURTHER CONSIDERATION OF S. B. 79

The Senate proceeded to further consideration of the Bill, S. B. 79, as amended.

The question was on the motion of Mr. Wilder that further consideration of the motion to reconsider be postponed until the Thirty-third Legislative Day.

Mr. Carr moved as a substitute motion that further consideration of the motion to reconsider be postponed temporarily. On motion of Mr. Dominick, the motion to postpone temporarily was laid on the table.

The question recurred on the motion of Mr. Wilder that further consideration of the motion to reconsider be postponed until the Thirty-third Legislative Day, and said motion was then lost.

The question then recurred on the motion of Mr. Clark that the Senate reconsider the vote by which the Bill, S. B. 79, as amended, was passed. On motion of Mr. Carr, the motion to reconsider was laid on the table.

Yeas 18; Nays 14.

#### Yeas:

Messrs.:	Dozier	Hawkins	Pelham	
Bailes	Edington	Jones	Pierce	
Carr	Fine	King	Shelby	
Cook	Foshee	Littleton	Vacca	
Dominick	Gilmore	McLain		—18

#### Nays:

Messrs.:	Givhan	Lybrand	Register	
Branyon	Hammond	Malone	Weaver	
Clark	Harris	Noonan	Wilson	
Cooper	Lindsey	Owen		—14

#### RESOLUTION

Messrs. Noonan, Pelham, Hammond, Owen, Givhan, Weaver, Foshee, Jones, Malone, Shelby, Lindsey, Lybrand, Wilson, Dozier and Pierce offered the following Senate Joint Resolution, to-wit:

S. J. R. 81. To CREATE A MARINE ENVIRONMENTAL SCIENCES CONSORTIUM

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a consortium is hereby created under the name of the Marine Environmental Sciences Consortium for the purposes set forth herein. The initial member institutions are: Alabama State University; Auburn University; Birmingham Southern College; Florence State University; Huntingdon College; Jacksonville State University; Livingston University; Mobile College; Samford University; Springhill College; Troy State University; Tuskegee Institute; The University of Alabama in Birmingham; The University of Alabama in Huntsville; The University of Alabama, Tuscaloosa; University of Montevallo; University of South Alabama. Institutional member-

ship in the Consortium may be increased or decreased under regulations to be established by the Board of Directors hereinafter provided for.

BE IT FURTHER RESOLVED, that the purposes of the Consortium are to provide educational programs in Marine Sciences on both the undergraduate and graduate levels; to promote and encourage pure and applied research in Marine Sciences and related areas; to promote and encourage communication and dialogue among those interested in Marine Sciences; and to do and perform all other acts and things which may be incidental to and come legitimately within the scope of any and all of the foregoing objects and purposes or which may be necessary or appropriate for the carrying out and accomplishment of any and all foregoing objects.

BE IT FURTHER RESOLVED, that the Marine Environmental Sciences Consortium is hereby constituted as a body corporate and such Consortium shall have all the rights, powers, and franchises necessary to or promotive of the end of its creation and shall be charged with all the corresponding duties and responsibilities, including the powers and responsibilities devolving upon a nonprofit corporation organized under Title Ten of the 1940 Code of Alabama as amended.

BE IT FURTHER RESOLVED, that the entire management of the Consortium shall be vested in its Board of Directors, to be composed of the chief executive officers of the member institutions. The Board of Directors shall determine the overall program and general policies of the Consortium in accordance with the provisions of this act as now enacted or as the same may be hereafter amended, and may elect or appoint such officers as it deems desirable, who may or may not be members of the Board, to have such responsibilities and to exercise such authority as the Board may from time to time prescribe.

BE IT FURTHER RESOLVED, that the governing authorities of the member institutions are hereby authorized to lease or to deed any real property to the Consortium, and such authorities may also sell, give, lend, or lease any personal property to the Consortium. Further, the governing authority of each member institution is hereby authorized and empowered to make annual expenditures as may be necessary for the support and maintenance of the Consortium.

On motion of Mr. Noonan, the Rules were suspended and the Resolution was adopted by the Senate.

#### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following engrossed Senate Bill with the original Senate Bill, respectively, and finds same correctly engrossed, to-wit:

S. 79. To provide further for water pollution control, establishing a new Water Improvement Commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the Commission, prescribing penalties and repealing Act No. 574, Regular Session, 1965, as amended.

JAMES S. CLARK,  
Chairman.

## ADOPTION OF RESOLUTIONS

The Resolutions:

H. J. R. 139. Welcoming the Free Chinese Ping Pong Team to the United States.

H. J. R. 140. Commending Astronauts Scott, Irwin and Worden for the success of the Apollo 15 Flight.

H. J. R. 142. Saluting the achievements of America and Huntsville's Marshall Space Flight Center in the Apollo 15 Flight.

H. J. R. 144. Mourning the death of Mr. Novy Lee Hale, Warden of the Atmore Prison Farm.

H. J. R. 147. Proclaiming October 10, 1971 as Honey Sunday.

H. J. R. 149. Extending to Mr. Charles Miller All Best Wishes for his early and complete recovery.

H. J. R. 152. Naming the recently completed gymnasium at John T. Calhoun State Technical Junior College, "The Carlton Kelley Gymnasium", for the college's first and only president.

H. J. R. 153. Naming the new bridge in Dallas County, Alabama, spanning the Alabama River on Highway 80, the John Tyler Morgan Bridge.

S. J. R. 77. To designate certain highways of Alabama as the "University of Montevallo Highway".

were again read and, on motion of Mr. Dozier, were adopted by the Senate.

## MOTION TO AMEND RULES

Mr. Dominick offered the following Motion in Writing, to-wit:

## MOTION IN WRITING

Notice in writing having been given on the previous legislative day, motion is now made to add the following new Senate Rule immediately after Senate Rule 33 and renumbering the remaining rules accordingly:

Rule 33. A quorum must be present at all times when the Senate is in session, including the times when a question is under debate; and the chair may at any time on his own motion and shall on the suggestion of any Senator instruct the Secretary to ascertain whether or not there is a quorum present. If there is less than a quorum of the Senate present those present may send for absent Senators as authorized in Rule 35, or may adjourn as authorized in Rule 1. A suggestion from a Senator for a quorum check shall be in order at all times.

Which was read and referred to the Standing Committee on Rules.

## MOTION TO AMEND RULES

Mr. Dominick offered the following Motion in Writing, to-wit:

## MOTION IN WRITING

Notice having been given on the previous legislative day, motion is now made to amend Senate Rule 65 as follows:

Rule 65. The Secretary shall cause to be printed and distributed among the members of the Senate a pocket-size book or pamphlet, which shall include the following information: (a) a picture and brief biography of each Senator, his address, home and business phone, and committee assignments; (b) a list of Senate committees and their memberships; (c) Senate and joint rules; (d) Constitutional sections 44, 47, and 50 relating to legislative powers, qualifications, and composition; and (e) instructions for the drafting of bills.

Which was read and referred to the Standing Committee on Rules.

#### MOTION TO AMEND RULES

Mr. Dominick offered the following Motion in Writing, to-wit:

##### MOTION IN WRITING

Notice in writing having been given on the previous legislative day, motion is now made to amend the Senate Rules by adding the following new rule:

All bills introduced in the Senate shall have printed at the top of the bill a synopsis of the contents.

Which was read and referred to the Standing Committee on Rules.

#### MOTION TO AMEND RULES

Mr. Dominick offered the following Motion in Writing, to-wit:

##### MOTION IN WRITING

Notice in Writing having been given on the previous legislative day, motion is now made to amend the Senate Rules by adding the following new rule:

No bill amending an existing statute shall be introduced in the Senate unless: (a) the subject of the bill, independent of references to code sections, is clearly expressed in the title, and (b) unless the material to be deleted is shown by cancelled type and the material to be inserted is shown by underscored type.

Which was read and referred to the Standing Committee on Rules.

#### BILLS ON THIRD READING

The Bill:

H. 702. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose and policy relative to air quality; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.



was taken up.

Mr. Givhan offered the following amendment to the Bill, H. B. 702, to-wit:

#### AMENDMENT TO H. B. 702

Amend H. B. 702, by striking therefrom in its entirety subsection (j) of Section 17 and inserting in lieu thereof the following:

(j) Persons other than the State, the Commission, or local bodies authorized to control air pollution pursuant to Section 15 of this Act, shall not acquire any actionable rights by virtue of this Act. The basis for proceedings or other actions under this Act that result from violations of this Act shall inure solely to and shall be for the benefit of the people of the State generally, and it is not intended in any way to create new rights or to enlarge existing rights.

Mr. Shelby moved that said amendment be laid on the table, which motion was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	Littleton	Pierce	
Carr	Fine	Lybrand	Shelby	
Dominick	Foshee	McLain		—14

Nays:

Messrs.:	Givhan	Malone	Vacca	
Branyon	Harris	Noonan	Weaver	
Clark	Hawkins	Owen	Wilder	
Cooper	Horne	Pelham	Wilson	
Gilmore	King	Register		—18

And said amendment to the Bill, H. B. 702, was then adopted by the Senate.

Yeas 19; Nays 14.

Yeas:

Messrs.:	Foshee	King	Register	
Branyon	Gilmore	Malone	Vacca	
Clark	Givhan	Noonan	Weaver	
Cook	Hawkins	Owen	Wilder	
Cooper	Horne	Pelham	Wilson	—19

Nays:

Messrs.:	Dozier	Lindsey	O'Bannon	
Bailes	Edington	Littleton	Pierce	
Carr	Harris	Lybrand	Shelby	
Dominick	Jones	McLain		—14

Mr. Givhan then offered the following amendment to the Bill, H. B. 702, as amended, to-wit:

#### AMENDMENT TO H. B. 702

Amend H. B. 702, by striking therefrom in its entirety the first sentence of subsection (c) of Section 4.

On motion of Mr. Lybrand, said amendment was laid on the table.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Register
Clark	Harris	McLain	Shelby
Cook	Hawkins	Malone	Vacca
Cooper	Horne	Noonan	Weaver
Dominick	Jones	O'Bannon	Wilder
Dozier			

—32

Nays:

—0

Mr. Givhan then offered the following amendment to the Bill, H. B. 702, as amended, to-wit:

## AMENDMENT TO H. B. 702, AS AMENDED

Amend by striking in its entirety subsection (j) of Section 17 and substituting therefor the following:

(j) The State Air Pollution Control Commission, the Attorney General, or any District Attorney, may file in the Circuit Court, sitting in equity, in the county in which the air contamination source is located, a bill or petition to enjoin the maintenance or operation of any air contamination source in violation of this Act or any rule or regulation adopted pursuant to it. No bill or petition shall be filed by the Commission unless the filing of same has first been authorized by the Commission. The filing, presentation, and hearing of a bill or petition, as herein authorized, and the dissolution of any injunction issued pursuant thereto, and including appeals from the judgment of the Circuit Court, in Equity, shall be governed by the general laws of the State of Alabama, which now or hereafter may govern applications for injunctive relief, except as herein provided. The Court shall not grant a temporary injunction unless it has a reasonable cause to believe that a respondent is operating or maintaining an air contamination source in violation of this Act or in violation of any rule or regulation adopted pursuant thereto. The Court shall, upon final hearing, if the proof be sufficient, grant a final injunction restraining the respondent from operating or maintaining said air contamination source. No bond shall be required in any proceedings under this subsection.

Which was adopted.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones	Owen	

—34

Nays:

—0

Mr. Cooper offered the following amendment to the Bill, H. B. 702, as amended, to-wit:

## AMENDMENT TO HOUSE BILL 702

Amend House Bill 702 by striking subsection (d) of Section 15 and substituting in lieu thereof the following:

“(d) Any such municipal governing body and each county Board of Health may adopt and enforce any ordinance, regulation, or resolution requiring the control or prevention of air pollution as follows:

(1) Where any ordinance, regulation, or resolution is identical in substance to requirements for the control or prevention of air pollution imposed by this Act or the rules, regulations and standards promulgated by the Commission hereunder, then such ordinance, regulation, or resolution may be adopted and enforced without further approval of the Commission.

(2) Where any ordinance, regulation, or resolution provides for the control or prevention of air pollution regarding classes or types of sources or classes or types of air contaminants for which the Commission has not promulgated rules, regulations or standards applicable to such sources or air contaminants within the area of jurisdiction of the local air pollution control program of such municipal governing body or county Board of Health, then such ordinance, regulation, or resolution may be adopted and enforced without further approval of the Commission.

(3) Where any ordinance, regulation, or resolution is adopted which provides for requirements for the control or prevention of air pollution for particular classes or types of sources or classes or types of air contaminants which requirements are more strict than those imposed by this Act or the rules, regulations and standards promulgated by the Commission hereunder which are applicable within the area of jurisdiction of the local air pollution control program of such municipal governing body or county Board of Health, then such ordinance, regulation, or resolution may not be enforced unless the Commission finds within 60 days of such adoption that such ordinance, regulation, or resolution is compatible with the purposes of this Act and with any comprehensive plan adopted by the Commission pursuant to Section 6 of this Act.

(4) Each such municipal governing body or county Board of Health shall notify the Commission of the adoption of any ordinance, regulation, or resolution requiring the control or prevention of air pollution and provide to the Commission a certified copy of such ordinance, regulation, or resolution within 15 days of such adoption.”

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Harris	Malone	Vacca
Cook	Hawkins	Noonan	Weaver
Cooper	Horne	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Edington	King		

—33

Nays:

—0

Mr. Cooper then offered the following amendment to the Bill, H. B. 702, as amended, to-wit:

## AMENDMENT TO H. B. 702

Amend H. 702, Section 16, by adding the following immediately after the words "Motor vehicle": "Trains, Boats, Ships, Airplanes, Rockets and all other self-propelled vehicles which may travel upon the land, waterways, or through the air in or above the State of Alabama."

Which was adopted.

Yeas 18; Nays 14.

*Yeas:*

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Shelby	
Carr	Givhan	Lybrand	Vacca	
Clark	Harris	McLain	Wilson	
Cooper	Horne	O'Bannon		—18

*Nays:*

Messrs.:	Foshee	Malone	Register	
Branyon	Hawkins	Noonan	Weaver	
Dozier	Jones	Owen	Wilder	
Edington	Littleton	Pierce		—14

Mr. McLain moved that the Senate reconsider the vote by which the second amendment offered by Mr. Cooper was adopted. On motion of Mr. Cooper, the motion to reconsider was laid on the table.

And said Bill, H. B. 702, as thus amended, was then read a third time at length and passed.

Yeas 35; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	—35

*Nays:*

—0

Mr. Dominick moved the Senate reconsider the vote by which the Bill, H. B. 702, as amended, was passed, and further moved that his motion to reconsider be laid on the table. The motion to table prevailed.

## RESOLUTION

Messrs. Noonan and Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 82. To create a commission called the Good Neighbor Commission; prescribing certain powers and duties for said permanent state commission; authorizing the use of legislative funds in the amount of \$50,000 per year for its expenses during 1971-73 biennium; providing for transportation facilities for the commission and for expenses of the commission.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a commission is hereby created called The Good Neighbor Commission of Alabama which shall be composed of five (5) members, each of whom shall be a citizen of the United States and a resident of the State of Alabama, and shall be appointed by the Governor with advice and consent of the Senate. One (1) of such members shall be appointed for a term of two (2) years from the effective date of this Act; two (2) shall be appointed for terms of four (4) years from such effective date; and two (2) for terms of six (6) years from such date. Each two years after the effective date of the Act, the Governor shall appoint one (1) or two (2) members of the commission, as the case may be, to fill any vacancy or vacancies for a term of six (6) years.

Vacancies in the membership of the commission shall be filled, as in the first instance, for the unexpired term. Three (3) members of the commission shall constitute a quorum for the transaction of business.

It shall be the duty of the commission to devise and put into effect methods by which inter-American understanding and good will may be promoted and inter-American relations advanced without resort to punitive measures or the application of civil or criminal sanctions.

The commission shall have power:

(a) To elect from its members a chairman and other such officers it may deem desirable; provided that the first chairman of the commission shall be named by the Governor and shall call the first meeting of the commission and serve as such until his successor shall be elected by the commission. All officers of the commission shall serve as such only during the pleasure of the commission.

(b) To hold such meetings, at such places within the State of Alabama and at such times as the commission may designate.

(c) To conduct such research, investigations and inquiries as may be necessary to inform the commission as to matters concerning inter-American relations.

(d) To appoint committees from its membership and prescribe their duties.

(e) To appoint consultants to the commission.

(f) To make rules and regulations for its government and that of its officers and committees, and to prescribe the duties of its officers, consultants and employees.

(g) To employ an executive secretary and other such clerical employees as it may think necessary and to fix the pay and compensation of such employees within the limits of funds made available to it for such purposes by appropriation from time to time.

(h) To receive and extend in payment of salaries and necessary expenses any funds donated to it. Such funds, when received by the commission, shall be deposited with the State Treasurer and shall be placed to the credit of a special account to be known as "Good Neighbor Commission of Alabama Fund." Expenditures from such fund shall be only to defray the salaries or other necessary expenses of the commission.

The commission shall maintain its offices in the City of Montgomery and shall hold at least one meeting each year in the City of Montgomery.

On or before the first day of April of each year the commission shall make in writing a complete and detailed report to the Governor and to the presiding officer of each House of the Legislature of its activities.

No member, consultant, or officer of the commission shall receive any compensation for his services in acting in such capacity but shall be paid his actual traveling and other necessary expenses incurred in attending the meetings of the commission and in the discharge of his duties as a member, consultant, or officer, upon verified and itemized accounts approved by the chairman of the commission. The necessary clerical and other expenses of the commission shall be paid in like manner.

All officers, departments, and agencies of the State government shall, when requested by the commission render to it such assistance as it may require in the discharge of its duties. All expenses incident to the rendering of such assistance, other than the salaries of the officers or employees of such departments and agencies, shall be paid from the fund made available to the commission by appropriation.

The expense of the commission shall be paid out of any fund approved for the use of the Legislature, provided, however, such expense shall not exceed \$50,000 for the fiscal year ending September 30, 1972, and September 30, 1973.

Which was read and referred to the Standing Committee on Rules.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 46. To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payment of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1.

was taken up.

Mr. Wilder offered the following amendment to the Bill, H. B. 46, to-wit:

#### AMENDMENT TO H. B. 46

In Section 9 (a), strike out the following words and figures: "one-fortieth of one cent (1/40¢)" and insert in lieu thereof the following: "twenty-fortieths of one cent (20/40¢)"

Also in Section 9 (b) strike out the following words and figures: "one cent (1¢)" and insert in lieu thereof the following: one and one-fortieth cents (1 1/40¢)

Also in Section 9 (d), as amended, strike out the following words and figures: "fifteen cents (15¢)" and insert in lieu thereof the following words and figures: thirteen cents (13¢)

Mr. Harris offered the following amendment to the Wilder amendment to the Bill, H. B. 46, to-wit:

#### AMENDMENT TO H. B. 46

Amend by striking therefrom the first paragraph.

On motion of Mr. Wilder, said amendment was laid on the table.

Yeas 18; Nays 17.

*Yeas:*

Messrs.:	Dozier	Hawkins	Pierce	
Bailes	Edington	Jones	Shelby	
Carr	Fine	King	Vacca	
Cook	Gilmore	Lindsey	Wilder	
Cooper	Hammond	Littleton		—18

*Nays:*

Messrs.:	Givhan	Malone	Pelham	
Branyon	Harris	Noonan	Register	
Clark	Horne	O'Bannon	Weaver	
Dominick	Lybrand	Owen	Wilson	
Foshee	McLain			—17

The question recurred on the amendment offered by Mr. Wilder to the Bill, H. B. 46, and said amendment was lost.

Yeas 17; Nays 18.

*Yeas:*

Messrs.:	Dozier	Hawkins	Pierce	
Bailes	Edington	Jones	Shelby	
Carr	Fine	King	Vacca	
Cook	Gilmore	Lindsey	Wilder	
Cooper	Hammond			—17

*Nays:*

Messrs.:	Givhan	McLain	Pelham	
Branyon	Harris	Malone	Register	
Clark	Horne	Noonan	Weaver	
Dominick	Littleton	O'Bannon	Wilson	
Foshee	Lybrand	Owen		—18

Mr. Pierce offered the following amendment to the Bill, H. B. 46, to-wit:

#### AMENDMENT TO HOUSE BILL 46

Amend Section 9 of House Bill 46 as follows:

(A) Strike clause (b) and substitute in lieu thereof the following:

"(b) Diesel Fuel other than that referred to in clauses (e) and (f) of this section: one cent (1¢) per gallon."

(B) Strike the semicolon and the word "and" at the end of clause (d) of section 9 and substitute therefor a comma.

(C) Strike the period at the end of clause (e) of the said section 9 and substitute therefor a comma and the word "and."

(D) Insert in the said section 9 immediately following the said clause (e) the following:

"(f) Diesel Fuel that is of the types customarily used as, and that is intended to be used only as fuel to propel railroad locomotives: one-fortieth of one cent (1/40¢) per gallon. Diesel Fuel of the types referred to in this clause (f) shall be inspected subsequent to delivery to the railway company that will use the said fuel. The quantity of fuel upon which the inspection fee herein provided for is to be paid shall be determined in a manner prescribed by the commissioner."

Mr. Harris moved that said amendment be laid on the table, which motion was lost.

Yeas 15; Nays 20.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Branyon	Givhan	Littleton	Register
Clark	Harris	Lybrand	Shelby
Cooper	Horne	Owen	Wilson

—15

Nays:

Messrs.:	Fine	Jones	O'Bannon
Bailes	Foshee	King	Pierce
Carr	Gilmore	McLain	Vacca
Cook	Hammond	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier			

—20

And said amendment to the Bill, H. B. 46, was then adopted.

Yeas 24; Nays 10.

Yeas:

Messrs.:	Fine	Jones	O'Bannon
Bailes	Foshee	King	Pierce
Carr	Gilmore	Lindsey	Register
Cook	Hammond	Littleton	Shelby
Cooper	Hawkins	McLain	Vacca
Dominick	Horne	Malone	Wilder
Dozier			

—24

Nays:

Messrs.:	Edington	Lybrand	Weaver
Branyon	Givhan	Noonan	Wilson
Clark	Harris	Pelham	

—10

Mr. Wilder offered the following amendment to the Bill, H. B. 46, as amended, to-wit:

#### AMENDMENT TO H. B. 46

In Section 9 (b) strike out the following words and figures: "one cent (1¢)" and insert in lieu thereof the following: one and one-fortieth cents (1 1/40¢)



Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pelham	
Bailes	Gilmore	Lindsey	Pierce	
Branyon	Givhan	Littleton	Register	
Clark	Hammond	Lybrand	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine				—32

Nays:

—0

Mr. Wilder then offered the following amendment to the Bill, H. B. 46, as amended, to-wit:

#### AMENDMENT TO H. B. 46

In Section 9 (a), strike out the following words and figures: "one-fortieth of one cent (1/40¢)" and insert in lieu thereof the following: eleven fortieths of one cent (11/40¢)

Mr. Harris moved that said amendment be laid on the table, which motion was lost.

Yeas 17; Nays 18.

Yeas:

Messrs.:	Givhan	McLain	Pelham	
Branyon	Harris	Noonan	Register	
Clark	Horne	O'Bannon	Shelby	
Dominick	Littleton	Owen	Wilson	
Foshee	Lybrand			—17

Nays:

Messrs.:	Dozier	Hawkins	Pierce	
Bailes	Edington	Jones	Vacca	
Carr	Fine	King	Weaver	
Cook	Gilmore	Lindsey	Wilder	
Cooper	Hammond	Malone		—18

And said amendment to the Bill, H. B. 46, as amended, was then adopted.

Yeas 18; Nays 17.

Yeas:

Messrs.:	Dozier	Hawkins	Pierce	
Bailes	Edington	Jones	Vacca	
Carr	Fine	King	Weaver	
Cook	Gilmore	Lindsey	Wilder	
Cooper	Hammond	Malone		—18

Nays:

Messrs.:	Givhan	McLain	Pelham	
Branyon	Harris	Noonan	Register	
Clark	Horne	O'Bannon	Shelby	
Dominick	Littleton	Owen	Wilson	
Foshee	Lybrand			—17

Mr. Wilson offered the following amendment to the Bill, H. B. 46, as amended, to-wit:

#### AMENDMENT TO H. B. 46

Amend House Bill 46, Section 8 in the second line by adding the words "for resale" after the phrase "person that has purchased" and before the phrase "any petroleum product".

Which was adopted.

Yeas 35; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

*Nays:*

—0

Mr. Jones offered the following amendment to the Bill, H. B. 46, as amended to-wit:

#### AMENDMENT TO HOUSE BILL 46

Amend Section 1 of House Bill 46 by striking the words "bearings, journals, axles, hubs, and other parts of machinery," in the definition of "lubricating oil."

Which was adopted.

Yeas 30; Nay 1.

*Yeas:*

Messrs.:	Edington	King	Owen
Bailes	Gilmore	Lindsey	Pierce
Branyon	Givhan	Littleton	Register
Carr	Hammond	Lybrand	Shelby
Clark	Harris	McLain	Vacca
Cook	Hawkins	Malone	Weaver
Cooper	Horne	Noonan	Wilson
Dozier	Jones	O'Bannon	

—30

*Nay:* Mr. Pelham

—1

Mr. Harris offered the following amendment to the Bill, H. B. 46, as amended, to-wit:

#### AMENDMENT TO H. B. 46

Amend House Bill 46 by striking Section 13 A in its entirety.

On motion of Mr. Owen, said amendment was laid on the table.

Mr. Harris then offered the following amendment to the Bill, H. B. 46, as amended, to-wit:

## AMENDMENT TO HOUSE BILL 46

Amend Section 11 of House Bill 46 by adding at the end of such section the following:

In the event of the collection hereunder from any person of an amount in excess of the amount of all permit fees, inspection fees, or penalties properly and lawfully required to be paid by such person, such person may apply to the commissioner for a refund of the amount of such overpayment. If such application for refund is approved in whole or in part by the commissioner, the commissioner shall submit to the state comptroller a statement, approved by the state attorney general, setting forth the amount determined to have been overpaid and the date of the overpayment. The state comptroller shall then draw his warrant, in favor of the person making such overpayment, upon the state treasurer for the amount specified in the said statement and such amount shall be charged to, and paid out of, the public road and bridge fund. The application for refund herein provided for must be filed with the commissioner within twelve (12) calendar months from the date upon which the overpayment was made, and no amount shall be refunded unless the application therefor is filed within the time prescribed herein. The department shall have authority to make and issue rules and regulations relating to the procedure to be followed in filing an application for a refund hereunder and for the procedure for payment of any refund made hereunder.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne		

—33

Nays:

—0

Mr. Harris then offered the following amendment to the Bill, H. B. 46, as amended, to-wit:

## AMENDMENT TO HOUSE BILL 46

Amend House Bill 46 by striking section 9 thereof and substituting in lieu of said section 9 the following:

Section 9. Inspection Fee. An inspection fee is hereby imposed and shall be collected in respect of petroleum products sold, offered for sale, stored or used in the State, the said fee to be measured by the number of gallons and to be at the following rates:

- (a) Gasoline: eleven-fortieth of one cent (11/40¢) per gallon,
- (b) Diesel fuel other than that referred to in clauses (e), (f), and (g) of this section: one cent (1¢) per gallon,
- (c) Kerosene other than that referred to in clauses (e), (f), and (g) of this section: one and one-fortieth cent (1 1/40¢) per gallon,

(d) Lubricating oil: fifteen cents (15¢) per gallon,

(e) Kerosene or diesel fuel that are of the types customarily used as, and that are intended to be used only as, fuel to propel jet aircraft: one-fortieth of one cent (1/40¢) per gallon,

(f) Kerosene or diesel fuel that is used by the ultimate consumer thereof as motor fuel to operate boats, yachts, ships or other maritime vehicles, whether said boats, yachts, ships or other maritime vehicles are used commercially or for pleasure: One-fortieth of one cent (1/40¢) per gallon,

(g) Kerosene or diesel fuel used by the ultimate consumer thereof to propel or operate tractors which are not operated on public highways but which are used exclusively in preparing and cultivating land, harvesting any agricultural commodity, or for other agricultural purposes, including pasture and hay production; provided, however, that the term "tractors" as used herein shall not include automobiles, trucks, pick-ups, trailers, semi-trailers, or other such vehicles: one-fortieth of one cent (1/40¢) per gallon.

It shall be the duty of the person first selling or storing or using any petroleum product in the state to pay said inspection fee. The inspection fee herein provided for shall be paid to the Commissioner on or before the 20th day of each month in respect of all petroleum products sold, stored or used in the state during the preceding month, and each remittance shall be accompanied by a certificate stating that the amount remitted is correct and that the petroleum products so sold, stored or used are of standard not less than the minimum specified for that petroleum product in the standards prescribed by the board pursuant to Section 3 hereof. If, at the time the said inspection fee is due, the person liable therefor is unable to ascertain the correct amount of such inspection fee because the use to be made of any diesel fuel or kerosene with respect to which the said inspection fee is then due has not been or cannot be ascertained at such time, then such person shall pay to the Commissioner as the inspection fee payable with respect to such diesel fuel and kerosene, one cent (1¢) for each gallon of such diesel fuel and each gallon of such kerosene. Upon furnishing proof satisfactory to the Commissioner that all or any portion of such diesel fuel or kerosene with respect to which an inspection fee at the rate of one cent (1¢) per gallon has been paid has been or will be used for a purpose or purposes specified in clauses (f) and (g) above, then such person shall be entitled to a credit against the amount of inspection fee becoming due from such person on the 20th day of the then next following calendar month, such credit to be in an amount equal to thirty-nine fortieths of one cent (39/40¢) for each gallon of kerosene or diesel fuel proved to have been used or to be used for such specified purpose or purposes; provided, that should the credit to which a person is entitled hereunder exceed the amount of the inspection fee becoming due from such person on the 20th day of the then next following calendar month, then the excess of the credit over the amount of the inspection fee becoming due shall be refunded in cash to such person, or, at such person's election, credited against the amount of any inspection fees subsequently becoming due from such person. The board shall have authority to promulgate rules and regulations with respect to the form and content of the proof of use which must be supplied by a person seeking such a credit or refund and with respect to the procedure to be followed in applying for such a credit or refund. The inspection fee herein provided for shall be paid but once with respect to the same product, but in the event any person fails to make payment as herein provided on or before the date such payment is due, the Commissioner shall add to the inspection fee

already due an amount equal to 10% thereof as a penalty for the failure of such person to make such report and payment upon the date herein provided and shall proceed to collect such inspection fee, together with all costs incident to such inspection, including the penalty. The inspection fee (and any penalty added thereto) shall constitute and operate as a lien, at all times until paid, upon any petroleum products sold or offered for sale or stored or used in the state by the person liable for the fee, and shall be immediately enforceable by the Commissioner when due in the same manner as are tax liens upon personal property of a delinquent taxpayer. The inspection fee provided for herein is in addition to all other fees and all taxes payable with respect to petroleum products. Notwithstanding anything to the contrary herein, no inspection fee or penalty shall be due or payable with respect to petroleum products which are sold or offered for sale or stored or used while they are in interstate or international commerce, but if after such petroleum products are removed from interstate or international commerce, such petroleum products are sold or offered for sale or stored or used in the state, the fee herein provided for shall be payable with respect to such petroleum products.

Also, amend House Bill 46 by striking Section 13-A in its entirety.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce
Bailes	Gilmore	Lindsey	Register
Branyon	Givhan	Lybrand	Shelby
Carr	Hammond	Malone	Vacca
Clark	Harris	Noonan	Weaver
Cook	Hawkins	Owen	Wilder
Dozier	Horne	Pelham	Wilson
Edington	Jones		

—29

Nays:

—0

Mr. Pelham offered the following amendment to the Bill, H. B. 46, as amended, to-wit:

#### AMENDMENT TO HOUSE BILL 46

Amend Section 9 of House Bill 46 as follows:

(A) Strike clause (b) and substitute in lieu thereof the following:

“(b) Diesel Fuel other than that referred to in clauses (e) (f) (g) and (h) of this section: one cent (1¢) per gallon.”

(B) Strike the period at the end of clause (g) of the said section 9 and substitute therefor a comma and the word “and.”

(C) Insert in the said section 9 immediately following the said clause (g) the following:

“(h) Diesel Fuel that is of the types customarily used as, and that is intended to be used only as fuel to propel railroad locomotives: one-fortieth of one cent (1/40¢) per gallon. Diesel fuel of the types referred to in this clause (h) shall be inspected subsequent to delivery to the railway company that will use the said fuel. The quantity of fuel upon which the inspection fee herein provided for is to be paid shall be determined in a manner prescribed by the commissioner.”

Which was adopted.

Yeas 33; Nays 0.

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Hammond	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—33

Nays: —0

And said Bill, H. B. 46, as thus amended, was read a third time at length and passed.

Yeas 30; Nays 4.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones	Owen		—30

Nays:

Messrs.:				
Bailes	Dominick	Hawkins	King	—4

Mr. Fine moved that the Senate reconsider the vote by which the Bill, H. B. 46, as amended, was passed, and further moved that his motion to reconsider be laid on the table. The motion to table prevailed.

The Bill:

H. 47. To amend Sections 697, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions with respect to motor vehicle licenses and registration fees, including provisions respecting the disposition of the proceeds of the said licenses and fees.

was taken up.

Mr. Harris offered the following amendment to the Bill, H. B. 47, to-wit:

#### AMENDMENT TO HOUSE BILL 47

Amend Section 1 of House Bill 47 by striking Section 1 thereof in its entirety and inserting in lieu thereof the following:

"Section 1. Section 697 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is amended so that the said Section 697 shall read as follows:

Section 697. For each truck or truck tractor using the public highways of this State, annual license taxes and registration fees, based

on the gross vehicle weight in pounds, are hereby imposed and shall be charged. For the purposes of this section, the term "gross vehicle weight" shall mean the empty weight of the truck or truck tractor plus the heaviest load to be carried; and, in the case of combinations, shall be deemed to include also the empty weight of the heaviest trailer with which the power unit shall be placed in combination, plus the heaviest load to be carried. No tolerance or margin of error shall be allowable under any of the provisions of this section.

The amount of the said license tax and registration fee with respect to each truck or truck tractor shall consist of (i) the base amount applicable to that particular truck or truck tractor under the provisions of this section plus (ii) in the case of each truck or truck tractor having a gross vehicle weight in excess of 30,000 pounds, the additional amount applicable to that particular truck or truck tractor under the provisions of this section.

(a) For each truck or truck tractor, other than those referred to in subsection (b) of this section, using the public highways of this State, the annual license taxes and registration fees herein imposed (i) shall consist of the base amount applicable to such truck or truck tractor under the schedule of base amounts set forth in this subsection (a), plus (ii) the additional amount, if any, applicable to such truck or truck tractor under the provisions of the schedule of additional amounts set forth in this subsection (a):

#### SCHEDULE OF BASE AMOUNTS

Gross Vehicle Weight in Pounds	Base Amount
0 to 8,000	\$ 13.00
8,001 to 12,000	30.00
12,001 to 18,000	45.00
18,001 to 30,000	75.00
30,001 to 42,000	100.00
42,001 to 52,000	150.00
52,001 to 62,000	200.00
62,001 or over	250.00

#### SCHEDULE OF ADDITIONAL AMOUNTS

Gross Vehicle Weight in Pounds	Additional Amount
30,001 to 42,000	\$ 40.00
42,001 to 52,000	60.00
52,001 to 62,000	80.00
62,001 or over	150.00

provided, that the total amount of the said annual license tax and registration fee shall be limited with respect to trucks owned and used by a farmer for transporting farm products or the personal property of the farmer for his use on his farm to a maximum of \$30 where the gross vehicle weight of the truck does not exceed 30,000 pounds and to a maximum of \$85 where the gross vehicle weight of the truck exceeds 30,000 but does not exceed 42,000 pounds and the said annual license tax and registration fee shall be limited with respect to trucks

owned and used by any person for transporting forest products from the point of severance to a sawmill, to a papermill, or to a concentration yard to a maximum of \$60 where the gross vehicle weight of the truck does not exceed 30,000 pounds and to a maximum of \$100 where the gross vehicle weight exceeds 30,000 pounds but does not exceed 42,000 pounds.

(b) For each truck or truck tractor, using the public highways of this State, (1) which has more than two axles when a single unit, or is used in combination with a trailer or semitrailer, and (2) which is either (i) used to transport goods, wares, merchandise or commodities of any kind or nature, for compensation of any kind, or (ii) operated under any rental, lease or other agreement where compensation is charged for the use of such truck or truck tractor, the annual license taxes and registration fees herein imposed shall consist of (i) the base amount applicable to such truck or truck tractor under the following schedule of base amounts plus (ii) the additional amount, if any, applicable to such truck or truck tractor under the provisions of the following schedule of additional amounts:

#### SCHEDULE OF BASE AMOUNTS

Gross Vehicle Weight in Pounds	Base Amount
0 to 6,000	\$ 13.00
6,001 to 12,000	35.00
12,001 to 18,000	60.00
18,001 to 24,000	75.00
24,001 to 30,000	200.00
30,001 to 36,000	300.00
36,001 to 42,000	400.00
42,001 or over	500.00

#### SCHEDULE OF ADDITIONAL AMOUNTS

Gross Vehicle Weight in Pounds	Additional Amount
30,001 to 36,000	\$ 60.00
36,001 to 42,000	80.00
42,001 or over	125.00

Provided, that for each tractor which is operated by a for-hire motor carrier and which is operated exclusively within 15 miles of the corporate limits of the incorporated municipality in which it is customarily domiciled (but not including vehicles operating beyond the borders of Alabama) an annual license tax and registration fee of \$150 is hereby imposed and shall be charged.

Provided further, that for each such truck or truck tractor used for the transportation of household goods, personal furniture, other household effects, coal, iron ore, limestone, bauxite, sand, gravel, and commodities exempt under the Alabama Motor Carrier Act of 1939, as amended (or any one or more of the items listed in this paragraph), the annual license tax and registration fee shall consist of the amount applicable to each such truck or truck tractor under the following schedule:



Gross Vehicle Weight in Pounds	Amount
0 to 6,000	\$ 13.00
6,001 to 12,000	30.00
12,001 to 18,000	45.00
18,001 to 24,000	75.00
24,001 to 30,000	150.00
30,001 to 36,000	300.00
36,001 to 42,000	400.00
42,001 or over	500.00

(c) Every person making application for license under this section to use a truck or truck tractor on the public highways of this state shall be required to make an affidavit declaring the gross vehicle weight of such truck or truck tractor and file the said affidavit with the judge of probate, or other county licensing officer, in the county in which the said application is made. Upon payment of the applicable motor vehicle license tax or registration fee, the license to use the said truck or truck tractor on the public highways of this state shall be limited to the gross vehicle weight so declared by the owner, which shall be deemed to constitute the allowable gross vehicle weight for which the said vehicle is licensed.

After having obtained a license under this section with respect to any truck or truck tractor, the owner thereof may during the then current tax year voluntarily increase the allowable gross vehicle weight for which his vehicle is licensed by making a new affidavit, applying for a new license applicable to the appropriate gross vehicle weight classification, surrendering the license plates or tags previously obtained, and paying the difference between the fees applicable to a license for the higher weight classification desired and the fee in respect of the license so surrendered. The license classification of a truck or truck tractor may not be decreased, however, except once a year at the time new license tags or plates are purchased for such truck or truck tractor.

(d) Any truck or truck tractor, either new or used, that may be acquired or brought into this state during the first quarter of a tax year, or that may be operated in this state during such period, shall pay the full annual license tax or fee specified herein. Any truck or truck tractor that may be acquired or brought into this state in any subsequent quarter of the tax year (and that shall not theretofore have become subject to license hereunder by virtue of operation on the highways of this state in any then preceding quarter of the tax year) shall be licensed on a quarterly declining basis, and the amount of the license tax or fee shall be an amount equal to one-fourth of the applicable license tax or fee multiplied by the number of quarter years intervening between the date such truck or truck tractor is acquired or brought into the state and the first day of the then succeeding tax year; provided, that for purposes of computing the amount of the license tax or fee on a quarterly declining basis, any part or fraction of a quarter year shall be counted as a full quarter year and any amount less than ten cents shall be figured to the nearest ten cents above the fraction thereof, and in no event shall the cost of the license be less than \$3.25. The division of the tax year into quarters, as herein provided, shall be on the basis of calendar months of the entire tax year.

Which was adopted.

Yeas 29; Nays 1.

*Yeas:*

Messrs.:	Fine	King	Owen
Bailes	Gilmore	Lindsey	Pelham
Branyon	Givhan	Littleton	Pierce
Carr	Hammond	Lybrand	Register
Clark	Harris	McLain	Vacca
Dominick	Hawkins	Malone	Wilder
Dozier	Horne	Noonan	Wilson
Edington	Jones		

—29

*Nay:* Mr. Cooper —1

Present but not voting: Mr. Cook

Mr. Fine offered the following amendment to the Bill, H. B. 47, as amended, to-wit:

#### AMENDMENT TO H. B. 47

Amend Section 1 of H. B. 47, as amended, so that subsection (b) of Section 697 of Title 51 of the Code of Alabama of 1940, as proposed to be amended by the said Section 1 of H. B. 47, is amended by striking therefrom in their entirety the words "or (ii) operated under any rental, lease or other agreement where compensation is charged for the use of such truck or truck tractor", and inserting in lieu thereof the following:

"or (ii) operated under any rental, lease or other agreement with carriers for compensation of goods, wares, merchandise or commodities, where compensation is charged under such rental, lease or other agreement, for the use of such truck or truck tractor".

Mr. Harris moved that said amendment be laid on the table, which motion was lost.

Yeas 15; Nays 18.

*Yeas:*

Messrs.:	Edington	McLain	Register
Branyon	Harris	Noonan	Shelby
Clark	Horne	Owen	Weaver
Dominick	Lybrand	Pelham	Wilson

—15

*Nays:*

Messrs.:	Fine	Hawkins	Malone
Bailes	Foshee	Jones	O'Bannon
Carr	Gilmore	King	Pierce
Cooper	Givhan	Lindsey	Wilder
Dozier	Hammond	Littleton	

—18

Present but not voting: Mr. Cook

The question recurred on the amendment offered by Mr. Fine to the Bill, H. B. 47, as amended, and said amendment was then adopted.

Yeas 19; Nays 14.

Yeas:

Messrs.:	Fine	Horne	Malone	
Bailes	Foshee	Jones	O'Bannon	
Carr	Gilmore	King	Pierce	
Cooper	Hammond	Lindsey	Weaver	
Dozier	Hawkins	Littleton	Wilder	—19

Nays:

Messrs.:	Edington	McLain	Register	
Branyon	Givhan	Noonan	Shelby	
Clark	Harris	Owen	Wilson	
Dominick	Lybrand	Pelham		—14

Mr. Lindsey offered the following amendment to the Bill, H. B. 47, as amended, to-wit:

#### AMENDMENT TO H. B. 47, AS AMENDED

Amend H. B. 47, as amended, Section 1, Subsection (a) by striking the figure \$60.00 where it appears after the words "or to a concentration yard to a maximum of" and substituting the figure \$40.00 therefor and by striking the figure \$100.00 where it appears after the words "where the gross vehicle weight of the truck does not exceed 30,000 pounds and to a maximum of" and substituting the figure \$65.00 therefor.

Mr. Harris moved that said amendment be laid on the table, which motion was lost.

Yeas 11; Nays 24.

Yeas:

Messrs.:	Cook	McLain	Pelham	
Bailes	Dominick	Malone	Pierce	
Clark	Harris	O'Bannon	Wilson	—11

Nays:

Messrs.:	Edington	Hawkins	Owen	
Branyon	Fine	Jones	Register	
Carr	Foshee	King	Shelby	
Clark	Gilmore	Lindsey	Vacca	
Cook	Givhan	Littleton	Weaver	
Cooper	Hammond	Noonan	Wilder	—24
Dozier				

The question recurred on the amendment offered by Mr. Lindsey to the Bill, H. B. 47, as amended, and said amendment was then adopted.

Yeas 24; Nays 10.

Yeas:

Messrs.:	Foshee	Jones	Owen	
Branyon	Gilmore	King	Register	
Carr	Givhan	Lindsey	Shelby	
Cooper	Hammond	Littleton	Vacca	
Dozier	Hawkins	Noonan	Weaver	
Edington	Horne	O'Bannon	Wilder	—24
Fine				

*Nays:*

Messrs.:	Dominick	McLain	Pierce	
Bailes	Harris	Malone	Wilson	
Clark	Lybrand	Pelham		—10

Mr. Fine offered the following amendment to the Bill, H. B. 47, as amended, to-wit:

#### AMENDMENT TO H. B. 47

Amend H. B. 47, as amended, Section 1, Subsection (a) by inserting after the words "(a) For each truck or truck tractor," the following:

"including motor vehicles used for the transportation of household goods, personal effects and other household effects and motor vehicles used for the transportation of iron ore, limestone, bauxite, sand and gravel and motor vehicles used in the transportation of commodities exempt under the Alabama Motor Carrier Act of 1939, as amended. (or any one or more of the items listed in this paragraph.)"

On motion of Mr. Harris, said amendment was laid on the table.

Yeas 25; Nays 6.

*Yeas:*

Messrs.:	Edington	Lybrand	Pierce	
Bailes	Foshee	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Clark	Hammond	Noonan	Vacca	
Cooper	Harris	Owen	Weaver	
Dominick	Horne	Pelham	Wilson	
Dozier	King			—25

*Nays:*

Messrs.:	Fine	Jones	Littleton	
Carr	Hawkins	Lindsey		—6

Present but not voting: Mr. Cook

Mr. Fine offered the following amendment to the Bill, H. B. 47, as amended, to-wit:

#### AMENDMENT TO H. B. 47 AS AMENDED

Amend H. B. 47, as amended, Section 1, Subsection (a) by inserting after the words "(a) For each truck or truck tractor," the following:

"including those used for the transportation of household goods, personal effects and other household effects, and commodities exempt under the Alabama Motor Carrier Act of 1939, as amended (or any one or more of the items listed in this paragraph)."

On motion of Mr. Harris, said amendment was laid on the table.

# REGULAR SESSION

2015

Yeas 27; Nays 5.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Foshee	Lybrand	Pierce
Branyon	Givhan	McLain	Register
Clark	Hammond	Malone	Shelby
Cooper	Harris	Noonan	Vacca
Dominick	Hawkins	O'Bannon	Weaver
Dozier	Horne	Owen	Wilder

—27

Nays:

Messrs.:	Fine	Lindsey	Littleton
Carr	Jones		

—5

Present but not voting: Mr. Cook

And said Bill, H. B. 47, as thus amended, was then read a third time at length and passed.

Yeas 32; Nays 1.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Carr	Hammond	McLain	Shelby
Clark	Harris	Malone	Vacca
Cooper	Horne	Noonan	Weaver
Dominick	Jones	O'Bannon	Wilder
Dozier	King	Owen	Wilson
Edington			

—32

Nay: Mr. Hawkins —1

Present but not voting: Mr. Cook

The Bill:

H. 49. To amend Section 30 of Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064), as amended by Act No. 477, S. 337, Regular Session of 1969, (1969 Acts, p. 933); so as to increase the registration fee levied by sub-section E of the said Section 30, and so as to make further provisions as to the disposition of the proceeds from the said registration fee:

was taken up.

On motion of Mr. Harris, further consideration of the Bill, H. B. 49, was postponed until the Thirty-second Legislative Day as Unfinished Business.

## REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor, with the date and hour of delivery, to-wit:

S. B. 30  
S. B. 404  
S. B. 731  
S. B. 733  
S. B. 816  
S. B. 817  
S. B. 818  
S. B. 819  
S. B. 820  
S. B. 821  
S. B. 822  
S. B. 823  
S. B. 824  
S. B. 825  
S. B. 826  
S. B. 827  
S. B. 828  
S. B. 829  
S. B. 830  
S. B. 831  
S. B. 832  
S. B. 833  
S. B. 834  
S. B. 835  
S. B. 836  
S. B. 837  
S. B. 838  
S. B. 839  
S. B. 840  
S. B. 841  
S. B. 842  
S. B. 843  
S. B. 844  
S. B. 845  
S. B. 913  
S. B. 914

S. B. 915  
S. B. 918  
S. B. 919  
S. B. 920  
S. B. 921  
S. B. 922  
S. B. 923  
S. B. 924  
S. B. 925  
S. B. 927  
S. B. 935  
S. J. R. 71  
S. J. R. 72  
S. J. R. 73  
S. J. R. 74  
S. B. 386  
S. B. 387  
S. B. 519  
S. B. 520  
S. B. 521  
S. B. 522  
S. B. 523  
S. B. 524  
S. B. 525  
S. B. 526  
S. B. 527  
S. B. 528  
S. B. 529  
S. B. 530  
S. B. 531  
S. B. 533  
S. B. 535  
S. B. 536  
S. B. 537  
S. B. 538  
S. B. 539

S. B. 812

S. B. 813

S. B. 814

S. B. 854

S. B. 855

S. B. 856

S. B. 857

S. B. 907

S. B. 908

S. B. 909

S. B. 910

S. B. 911

S. B. 943

S. B. 944

S. B. 945

Delivered to the Governor August 19, 1971 at 12:10 P. M.

McDOWELL LEE,  
Secretary.

#### SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

#### POINT OF PERSONAL PRIVILEGE

Mr. Clark requested and received unanimous consent that the Senate consider local bills and general bills with local application immediately after establishment of a quorum on each succeeding Legislative Day until sine die adjournment.

#### ADJOURNMENT

At 9:09 P. M., on motion of Mr. Pelham, the Senate adjourned until Tuesday, August 24, 1971, at 7 o'clock A. M.

---

#### THIRTIETH LEGISLATIVE DAY

TUESDAY, AUGUST 24, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

#### PRAYER

The Session was opened with prayer by Honorable L. D. Owen, Twenty-fifth Senatorial District.



## ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

## JOURNAL

On motion of Mr. Bailes, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE  
ON RULES ON  
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-ninth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,  
Chairman.

## COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Twenty-ninth Legislative Day was approved by the Senate.

## CALENDAR BILLS POSTPONED TO DAY CERTAIN

On motion of Mr. Carr, further consideration of the Bill, H. B. 179, was postponed until the Thirty-fourth Legislative Day.

On motion of Mr. Carr, further consideration of the Bill, H. B. 758, was postponed until the Thirty-third Legislative Day.

## BILLS ON THIRD READING

The Bill:

H. 421. To amend the title and Section 1 of Act No. 158, H. 28, Special Session 1961 (Acts 1961, p. 2106), which Act provides further for jury trials in land line and boundary dispute trials in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pelham
Bailes	Foshee	King	Pierce
Branyon	Givhan	Lindsey	Shelby
Carr	Hammond	Lybrand	Vacca
Clark	Harris	Malone	Wilder
Cook	Hawkins	O'Bannon	Wilson
Cooper	Horne		

—25

Nays:

—0

The Bill:

H. 1050. Relating to the 11th Judicial Circuit, to extend the powers, authority and duties of the district attorney of such judicial circuit so as to empower, authorize, and require that such district attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary in any and all inferior courts located and constituted in the county composing such judicial circuit, creating the office of deputy district attorney for such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of three such deputy district attorneys and for their compensation, and further providing that such compensation shall be paid out of the general fund of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Branyon	Fine	Littleton	Pierce
Carr	Foshee	Lybrand	Register
Cook	Givhan	McLain	Shelby
Cooper	Harris	Malone	Vacca
Dominick	Hawkins	O'Bannon	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1051. To repeal Act No. 326, H. 775, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 809), entitled, "An Act Relating to all judicial circuits of the State of Alabama composed of only one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census; authorizing the solicitor of said circuit to appoint a Deputy Circuit Solicitor and providing for the payment of said Deputy Circuit Solicitor's compensation from the general funds of the county constituting such circuit."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Givhan	Horne
Carr	Dozier	Hammond	Jones
Clark	Edington	Harris	King
Cooper	Foshee	Hawkins	Littleton

# REGULAR SESSION

2021

Lybrand	O'Bannon	Shelby	Wilder	
McLain	Pelham	Vacca	Wilson	
Malone	Pierce			—25

Nays: —0

The Bill:

H. 483. To fix the compensation of the deputy solicitor of Greene County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Register	
Clark	Givhan	Littleton	Shelby	
Cook	Hammond	Lybrand	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Horne	Noonan	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 484. Authorizing compensation for clerical assistants for the tax assessor of Greene County and providing payment of such compensation out of county funds.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Register	
Clark	Gilmore	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 485. To amend the title and Section 1 of Act No. 165, H. 543, Regular Session 1965 (Acts 1965, p. 232), which act provides for the fixing of per diem pay for members of the board of equalization of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Clark	Hammond	Lybrand	Register	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

**The Bill:**

H. 486. To amend the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), which act provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	Littleton	Pelham
Branyon	Givhan	Lybrand	Pierce
Clark	Hammond	Malone	Register
Cook	Hawkins	Noonan	Shelby
Cooper	Horne	O'Bannon	Weaver
Dozier	Jones	Owen	Wilder
Edington	King		

—25

**Nays:**

0

**The Bill:**

H. 487. To amend the title and section 1 of Act No. 628, H. 1022, Regular Session 1965 (Acts 1965, p. 1150), which act provides a clerk-hire allowance for certain officers of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Gilmore	King	Owen
Branyon	Givhan	Lindsey	Pierce
Clark	Hammond	Littleton	Register
Cook	Harris	Malone	Shelby
Dominick	Hawkins	Noonan	Weaver
Dozier	Horne	O'Bannon	Wilder
Edington	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 488. To amend the title and Section 1 of Act No. 395, H. 1023, Special Session 1969 (Acts 1969, p. 771), which act provides for increasing the salary of the deputy solicitor of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	Littleton	Owen
Branyon	Givhan	Lybrand	Pelham
Clark	Hammond	McLain	Shelby
Cooper	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Weaver
Dozier	Jones	O'Bannon	Wilson
Edington	Lindsey		

—25

**Nays:**

—0

**The Bill:**

H. 489. To amend the title and Section 1 of Act No. 21, H. 71, Third Special Session 1965 (Acts 1965, p. 227) which act authorizes the county commission in certain counties classified on a population basis to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the Federal Economic Opportunity Act of 1964.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Foshee	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Clark	Hammond	Littleton	Vacca	
Cook	Harris	Lybrand	Weaver	
Dominick	Hawkins	Malone	Wilder	
Dozier	Horne	Noonan	Wilson	
Edington	Jones			—25

**Nays:**

—0

**The Bill:**

H. 574. Relating to counties having populations of not less than 18,500 nor more than 20,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Foshee	Littleton	Pelham	
Branyon	Hammond	Lybrand	Pierce	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Weaver	
Edington	Jones	Owen	Wilson	
Fine	Lindsey			—25

**Nays:**

—0

**The Bill:**

H. 646. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; authorizing the probate judge to appoint a chief clerk and an assistant probate clerk, providing for their compensation, and fixing the amount of the official bond of the chief clerk.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Clark	Gilmore	Littleton	Pierce	
Cook	Harris	Lybrand	Shelby	
Cooper	Hawkins	McLain	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones			—25

**Nays:**

—0

## The Bill:

H. 647. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; providing for the appointment of clerical assistants by the Tax Assessor, Tax Collector and Circuit Clerk.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Foshee	Littleton	Pierce	
Clark	Gilmore	McLain	Register	
Cook	Givhan	Malone	Vacca	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

## The Bill:

H. 849. Relating to counties having populations of 10,660 or less; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Pierce	
Branyon	Foshee	Littleton	Shelby	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	Malone	Weaver	
Dominick	Hammond	Noonan	Wilder	
Dozier	Hawkins	Owen	Wilson	
Edington	Jones			—25

Nays: —0

## The Bill:

H. 201. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Chilton County; and the regulation of costs and charges of courts in said county.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Pierce	
Carr	Givhan	Malone	Shelby	
Clark	Hammond	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 212. Relating to boards of registrars in counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census, to provide that such boards shall only be required to hold meetings at the county seat.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Hammond	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 213. To provide an additional expense allowance for the Probate Judge for counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	McLain	Shelby	
Cooper	Givhan	Malone	Vacca	
Dominick	Harris	Noonan	Weaver	
Dozier	Horne	Owen	Wilder	
Edington	Jones			—25

Nays: —0

The Bill:

H. 663. To authorize the Chilton County Commission to pay Eulene Littleton for the damages done to her car by a washed-out bridge in Chilton County on March 15, 1970.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce	
Bailes	Fine	King	Register	
Branyon	Foshee	Littleton	Shelby	
Carr	Givhan	McLain	Weaver	
Clark	Harris	Malone	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

## The Bill:

H. 776. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Littleton	Register
Carr	Gilmore	McLain	Weaver
Cook	Givhan	Malone	Wilder
Cooper	Hammond	O'Bannon	Wilson
Dominick	Hawkins		

—25

## Nays:

—0

## The Bill:

H. 847. To amend Section 13 of Act No. 872, H. 1118, Regular Session 1951 (Acts 1951, p. 1505), which act established the Board of Revenue and Control of Chilton County by eliminating the requirement for publication of minutes of the meetings of said Board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Gilmore	Littleton	Register
Carr	Givhan	McLain	Vacca
Clark	Hammond	Malone	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Edington	Jones		

—25

## Nays:

—0

## The Bill:

H. 848. To further amend Section 11 of Act No. 471 of the Alabama Legislature, approved November 13, 1959 (Acts of Alabama 1959 Regular Session, pages 1170, et seq.), entitled "An Act to levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties," as heretofore amended by Act No. 55 of the 1963 Second Special Session of the Alabama Legislature, approved April 23, 1963 (Acts of Alabama, 1963, pages 219, et seq.).

Was read a third time at length and passed.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	McLain	Vacca	
Carr	Givhan	Noonan	Weaver	
Cook	Hammond	O'Bannon	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Hawkins			—25

Nays: —0

The Bill:

H. 1017. To amend further Act No. 608, H. B. 700, Regular Session 1951, an Act establishing a retirement fund and pension system for policemen and firemen of the City of Anniston (Acts 1950-1951, v. 2, p. 1045), amending such Act relative to retirement benefits, and specifically amending Sections 16, 17 and 18 and repealing Section 19 of said Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Clark	Hammond	Lybrand	Register	
Cooper	Harris	Malone	Shelby	
Dominick	Hawkins	O'Bannon	Vacca	
Dozier	Horne	Owen	Weaver	
Edington	Jones			—25

Nays: —0

The Bill:

H. 1251. Providing that in all counties having a population of not less than 95,000 nor more than 115,000 the Commissioner of Licenses shall collect a fee for taking an affidavit or affidavits when issuing a commercial motor vehicle tag and when making a transfer of any motor vehicle tag.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Lindsey	Register	
Branyon	Gilmore	Lybrand	Shelby	
Cook	Givhan	Malone	Vacca	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1231. Relating to counties having populations of not less than 95,000 nor more than 115,000; providing further for the issuance of certificates of birth and death occurring in such counties; and prescribing penalties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pierce	
Bailes	Fine	Lindsey	Register	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Hammond	Noonan	Weaver	
Clark	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1518. To amend the title and Sections 1 and 2 of Act No. 170, H. 15, Special Session 1967 (Acts 1967, p. 217), which abolishes the office of clerk of the jury commission, provides that the circuit court shall perform the duties of the abolished office, and authorizes the county to provide for employment of additional clerical help in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	King	Owen	
Bailes	Givhan	Lindsey	Register	
Branyon	Hammond	Lybrand	Shelby	
Clark	Harris	Malone	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1433. To amend the title and Section 1 of Act No. 196, H. 213, Special Session 1967 (Acts 1967, p. 243), which authorizes the county commission of certain counties classified on a population basis to appropriate county funds for the relief of persons damaged by county employees or county equipment.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pierce	
Branyon	Gilmore	Lybrand	Register	
Clark	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1434. To amend the title and Section 1 of Act No. 257, H. 773, Regular Session 1969 (Acts 1969, p. 589), which allows a judge to excuse

veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Register	
Carr	Foshee	Lindsey	Shelby	
Clark	Hammond	Lybrand	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

*Nays:* —0

The Bill:

H. 1435. To amend the title and Section 1 of Act No. 506, S. 554, approved August 22, 1951 (Acts 1951, p. 898), as last amended, which relates to the circuit solicitors of certain judicial circuits composed of two counties, one of which is classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lybrand	Register	
Branyon	Gilmore	Malone	Shelby	
Carr	Givhan	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dominick	Jones			—25

*Nays:* —0

The Bill:

H. 1436. To amend the title and Section 1 of Act No. 149, H. 167, Special Session 1969 (Acts 1969, p. 215), which fixes the per diem pay for members of the county board of equalization in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	King	Owen	
Bailes	Gilmore	Lindsey	Register	
Branyon	Hammond	Lybrand	Shelby	
Clark	Harris	Malone	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne	O'Bannon	Wilson	
Edington	Jones			—25

*Nays:* —0

**The Bill:**

H. 1437. To amend the title and Section 1 of Act No. 135, H. 436, Regular Session 1969 (Acts 1969, p. 409), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such fees, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Lindsey	Pelham
Balles	Fine	Lybrand	Pierce
Branyon	Foshee	Malone	Shelby
Carr	Gilmore	Noonan	Vacca
Clark	Hammond	O'Bannon	Wilder
Cook	Harris	Owen	Wilson
Dozier	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1438. To amend the title and Section 1 of Act No. 253, H. 750, Regular Session 1969 (Acts 1969, p. 585), which provides for the condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer and provides for the disposition of the proceeds of the sale thereof, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	Lindsey	Pierce
Bailes	Gilmore	Lybrand	Shelby
Carr	Givhan	Malone	Vacca
Cook	Hammond	Noonan	Weaver
Dominick	Hawkins	O'Bannon	Wilder
Dozier	Horne	Owen	Wilson
Edington	King		

—25

**Nays:**

—0

**The Bill:**

H. 1439. To amend the title and Section 1 of Act No. 118, S. 73, Special Session 1962 (Acts 1962, p. 152), which authorizes the licensing and regulation of and hunting on certain privately owned hunting preserves; prescribes fees for such license; provides for collection and distribution of such fees, and penalties for violations of this Act, in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Foshee	Lindsey	Register
Branyon	Gilmore	Lybrand	Shelby
Carr	Givhan	Noonan	Vacca
Cooper	Hammond	O'Bannon	Weaver
Dozier	Hawkins	Pelham	Wilder
Edington	Horne	Pierce	Wilson
Fine	King		

—25

**Nays:**

—0

The Bill:

H. 1441. To amend the title and Section 1 of Act No. 192, S. 77, Special Session 1969 (Acts 1969, p. 254), which provides for the appointment, duties, and authority of an assistant chief clerk in the office of the judge of probate; to provide bonding, and provide for compensation, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen
Bailes	Edington	Lindsey	Pelham
Branyon	Fine	Lybrand	Pierce
Carr	Foshee	Malone	Shelby
Clark	Hammond	Noonan	Vacca
Cook	Harris	O'Bannon	Weaver
Dominick	Hawkins		

—25

Nays:

—0

The Bill:

H. 1442. To amend the title and Section 1 of Act No. 150, H. 168, Special Session 1969 (Acts 1969, p. 216), which provides for the establishment of a work schedule for firemen; provides maximum per week work hours for firemen with exceptions in certain emergencies; provides for the determination of when an emergency exists, and provides for organization of the fire department into platoons, in certain cities classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Register
Clark	Gilmore	Lybrand	Shelby
Cook	Givhan	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 1443. To amend the title and Section 1 of Act No. 67, H. 56, 1st Special Session 1956 (Acts 1956, p. 99), as last amended, which abolishes the fine and forfeiture funds for certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce
Branyon	Fine	Lindsey	Register
Carr	Foshee	Lybrand	Vacca
Clark	Gilmore	Malone	Weaver
Cooper	Givhan	Owen	Wilder
Dominick	Hawkins	Pelham	Wilson
Dozier	Jones		

—25

Nays:

—0

**The Bill:**

H. 1444. To amend the title and Section 1 of Act No. 491, S. 413, approved September 10, 1957 (Acts 1957, p. 678), as last amended, which further regulates the alteration and extension of the corporate limits and boundaries of incorporated municipalities in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	King	Pierce
Bailes	Gilmore	Lindsey	Shelby
Branyon	Givhan	Lybrand	Vacca
Carr	Hammond	Noonan	Weaver
Clark	Harris	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Dominick	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1445. To amend the title and Section 1 of Act No. 73, H. 219, Regular Session 1967 (Acts 1967, p. 407), which provides that the county commission of certain counties classified on a population basis shall be authorized to expend county funds in an amount for advertising and paying moral obligations, and to provide for retroactive effect.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Lindsey	Pierce
Bailes	Foshee	Lybrand	Register
Branyon	Givhan	Noonan	Shelby
Carr	Hammond	O'Bannon	Vacca
Clark	Hawkins	Owen	Wilder
Cooper	Horne	Pelham	Wilson
Dominick	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1446. To amend the title and Section 1 of Act No. 492, S. 414, Regular Session 1957 (Acts 1957, p. 681), as last amended, which relates to immediate operation of the laws and ordinances of any city or town as to territory annexed to such city or town in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Lybrand	Register
Clark	Givhan	Malone	Shelby
Cook	Hammond	Noonan	Vacca
Dominick	Hawkins	O'Bannon	Wilder
Dozier	Horne		

—25

**Nays:**

—0

## The Bill:

H. 1447. To amend the title and Section 1 of Act No. 183, H. 364, Regular Session 1961 (Acts 1961, p. 225), as last amended, which authorizes the establishment of branch banks in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Register	
Carr	Gilmore	Malone	Shelby	
Clark	Givhan	Noonan	Weaver	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

## Nays:

—0

## The Bill:

H. 1448. To amend the title and Section 1 of Act No. 148, H. 166, Special Session 1969 (Acts 1969, p. 215), which fixes the compensation of members of the jury commission in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	Malone	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dozier	Harris			—25

## Nays:

—0

## The Bill:

H. 1449. To amend the title and Section 1 of Act No. 175, H. 460, Regular Session 1965 (Acts 1965, p. 246), as last amended, which provides further for the compensation and authority of coroners of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Branyon	Fine	King	Pelham	
Carr	Gilmore	Lindsey	Pierce	
Clark	Givhan	Lybrand	Shelby	
Cook	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

## Nays:

—0

**The Bill:**

H. 1450. To amend the title and Section 1 of Act No. 41, H. 110, Regular Session 1967 (Acts 1967, p. 369), which fixes the compensation of certain county officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

**Nays:** —0

**The Bill:**

H. 1452. To amend the title and Section 1 of Act No. 179, H. 98, Special Session 1969 (Acts 1969, p. 244), which provides for the appointment of an Assistant Chief Clerk in the office of the Judge of Probate of certain counties classified on a population basis; to define his duties and authority; to direct the filing of a bond and provide for the compensation of such position.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Foshee	King	Pelham	
Bailes	Gilmore	Lindsey	Register	
Branyon	Hammond	Lybrand	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

**Nays:** —0

**The Bill:**

H. 1453. To amend the title and Section 1 of Act No. 151, H. 169, Special Session 1969 (Acts 1969, p. 218), which regulates the compensation of and provides for the payment of additional compensation to members of the board of registrars of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Register	
Branyon	Gilmore	Lybrand	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	Owen	Wilson	
Edington	Horne			—25

**Nays:** —0



**The Bill:**

H. 1454. To amend the title and Section 1 of Act No. 177, H. 433, Regular Session 1969 (Acts 1969, p. 485), which authorizes the county governing body to provide clerk hire allowances for the county solicitor or deputy district attorney in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Carr	Foshee	Lindsey	Shelby
Clark	Gilmore	Lybrand	Vacca
Cook	Givhan	Malone	Weaver
Cooper	Harris	O'Bannon	Wilson
Dozier	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1455. To amend the title and Section 1 and 2 of Act No. 693, H. 955, Regular Session 1967 (Acts 1967, p. 1518), which provides for the allocation of the duties of the chairman and members of the city commission of certain cities in counties classified on a population basis, and provides for their compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen
Branyon	Fine	King	Pelham
Carr	Foshee	Lindsey	Pierce
Clark	Gilmore	Lybrand	Vacca
Cooper	Givhan	Malone	Weaver
Dominick	Harris	Noonan	Wilder
Dozier	Hawkins		

—25

**Nays:**

—0

**The Bill:**

H. 1456. To amend the title and Section 1 of Act No. 237, H. 236, Special Session 1966 (Acts 1966, p. 360), which provides for participation of county employees in the Employees' Retirement System of Alabama in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dominick	Jones	Pelham
Bailes	Dozier	Lindsey	Register
Branyon	Gilmore	Lybrand	Vacca
Carr	Hammond	Malone	Weaver
Clark	Harris	O'Bannon	Wilder
Cook	Hawkins	Owen	Wilson
Cooper	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1457. To amend the title and Section 1 of Act No. 1003, S. 825, Regular Session 1969 (Acts 1969, p. 1878), which provides for the payment of salary and expenses of an investigator appointed by the district attorney in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Register
Branyon	Gilmore	Lindsey	Shelby
Cook	Givhan	Lybrand	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

**Nays:**

—0

**The Bill.**

H. 1458. To amend the title and Section 1 of Act No. 935, H. 1349, Regular Session 1969 (Acts 1969, p. 1672), which provides for the payment of salary and expenses of an investigator appointed by the district attorney of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	King	Pelham
Bailes	Fine	Lindsey	Register
Branyon	Foshee	Lybrand	Vacca
Carr	Givhan	Noonan	Weaver
Clark	Hammond	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Dominick	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1459. To amend the title and Section 1 of Act No. 272, H. 13, Regular Session 1965 (Acts 1965, p. 385), which provides for the substitution of other books or texts for the textbooks on the list of state approved or state-adopted textbooks in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	King	Register
Branyon	Gilmore	Lindsey	Shelby
Carr	Givhan	Lybrand	Vacca
Clark	Harris	Malone	Wilder
Cooper	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

**Nays:**

—0

The Bill:

H. 1460. To amend the title and Section 1 and 2 of Act No. 236, H. 905, Regular Session 1965 (Acts 1965, p. 340), which authorizes county commissions to provide clerk hire allowances for certain courts in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Register	
Branyon	Foshee	Malone	Shelby	
Clark	Gilmore	Noonan	Vacca	
Cook	Givhan	O'Bannon	Wilder	
Cooper	Hammond	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1461. To amend the title and Section 1 of Act No. 412, H. 906, Regular Session 1965 (Acts 1965, p. 601), which authorizes city Boards of Education in certain counties classified on a population basis to enter into agreements with the appropriate federal agencies for the operation of schools located on federal military bases adjoining cities having such boards and to operate said schools as if they were in a separate school district, pursuant to those agreements.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen	
Carr	Gilmore	Lindsey	Pelham	
Clark	Hammond	Lybrand	Register	
Cooper	Harris	Malone	Shelby	
Dominick	Hawkins	Noonan	Vacca	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 1462. To amend the title and Section 1 of Act No. 446, S. 469, Regular Session 1965 (Acts 1965, p. 649), which prohibits the commissioner of licenses in certain counties classified on a population basis from charging or collecting any fees for administering oaths or acknowledging affidavits.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Shelby	
Carr	Gilmore	Lybrand	Vacca	
Cook	Givhan	Malone	Weaver	
Dominick	Harris	Noonan	Wilson	
Dozier	Hawkins			—25

Nays: —0

**The Bill:**

H. 1463. To amend the title and Section 1 of Act No. 35, H. 3, 2nd Special Session 1963 (Acts 1963, p. 205), which prohibits the probate judge from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit, in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Pierce
Bailes	Fine	Lindsey	Register
Branyon	Foshee	Lybrand	Shelby
Carr	Givhan	Malone	Weaver
Cook	Hammond	Noonan	Wilder
Cooper	Harris	Owen	Wilson
Dozier	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1464. To amend the title and Section 1 of Act No. 94, H. 238, Second Special Session 1965 (Acts 1965, p. 127), which further regulates the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibits the sale of fish so taken in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Shelby
Carr	Hammond	Lybrand	Vacca
Clark	Harris	Malone	Wilder
Cooper	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1465. To amend the title and Section 1 of Act No. 66, H. 19, Special Session 1966 (Acts 1966, p. 90), which regulates and provides for the payment of compensation of election officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Horne	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lybrand	Pierce
Clark	Gilmore	Malone	Shelby
Cook	Givhan	Noonan	Vacca
Dominick	Hammond	O'Bannon	Wilson
Dozier	Harris		

—25

**Nays:**

—0

**The Bill:**

H. 1466. To amend the title and Section 1 of Act No. 92, H. 232, Second Special Session 1965 (Acts 1965, p. 125), which provides an optional plan by which the county commission of certain counties classified on a population basis may establish two or more voting places within an election precinct; directs the grouping of names of qualified voters within such precinct and the assignment of said voters to a voting place; and requires the publication of such group-lists and the accompanying assignments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	King	Pelham
Branyon	Gilmore	Lindsey	Register
Carr	Givhan	Lybrand	Vacca
Clark	Hammond	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1467. To amend the title and Section 1 of Act No. 67, H. 20, Special Session 1966 (Acts 1966, p. 80), which regulates the compensation of jurors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Jones	Pelham
Bailes	Edington	Lybrand	Pierce
Branyon	Fine	Malone	Vacca
Clark	Foshee	Noonan	Weaver
Cook	Gilmore	O'Bannon	Wilder
Cooper	Givhan	Owen	Wilson
Dominick	Harris		

—25

**Nays:**

—0

**The Bill:**

H. 1469. To amend the title and Section 1 of Act No. 235, H. 904, Regular Session 1965 (Acts 1965, p. 339), which provides further for redeeming land sold for taxes, transfers certain duties of the probate judge to the tax collector of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dominick	Hawkins	Owen
Bailes	Edington	King	Register
Branyon	Fine	Lindsey	Vacca
Carr	Foshee	Lybrand	Weaver
Clark	Givhan	Noonan	Wilder
Cook	Hammond	O'Bannon	Wilson
Cooper	Harris		

—25

**Nays:**

—0

## The Bill:

H. 1468. To amend the title and Section 1 of Act No. 479, H. 461, Regular Session 1965 (Acts 1965, p. 693), which provides expense allowances for coroners in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Lybrand	Pierce
Bailes	Gilmore	Malone	Register
Branyon	Givhan	Noonan	Vacca
Carr	Hammond	O'Bannon	Weaver
Cooper	Hawkins	Owen	Wilder
Dominick	Horne	Pelham	Wilson
Dozier	King		

—25

## Nays:

—0

## The Bill:

H. 1470. To amend the title and Section 1 of Act No. 69, H. 26, Special Session 1966 (Acts 1966, p. 32), which authorizes the county commission of certain counties classified on a population basis to appropriate and expend county funds for the purpose of providing contribution to non-profit Community Action Committee board, and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Pierce
Branyon	Foshee	Lindsey	Register
Carr	Hammond	Lybrand	Shelby
Clark	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

## Nays:

—0

## The Bill:

H. 1471. To amend the title and Section 1 of Act No. 127, H. 235, Special Session 1966 (Acts 1966, p. 162), which regulates the compensation of bailiffs serving the circuit courts of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Gilmore	Lindsey	Pierce
Clark	Givhan	Lybrand	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dozier	Horne	Owen	Wilson
Edington	Jones		

—25

## Nays:

—0

## The Bill:

H. 1472. To amend the title and Section 1 of Act No. 176, H. 463, Regular Session 1965 (Acts 1965, p. 247), as last amended, which regulates the compensation and allowances of members of boards of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Register	
Carr	Foshee	Malone	Shelby	
Clark	Givhan	Noonan	Vacca	
Cook	Hammond	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

## Nays:

—0

## The Bill:

H. 1473. To amend the title and Section 1 of Act No. 105, S. 251, Regular Session 1965 (Acts 1965, p. 165), which empowers the judge of probate to try inquisitions of lunacy with or without a jury; prescribes the manner of impaneling jurors where a jury trial is demanded in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Lindsey	Register	
Branyon	Givhan	Lybrand	Vacca	
Carr	Hammond	Malone	Weaver	
Clark	Hawkins	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dominick	Jones			—25

## Nays:

—0

## The Bill:

H. 1474. To amend the title and Section 1 of Act No. 456, H. 493, Regular Session 1967 (Acts 1967, p. 1148), which regulates the compensation of the judges of the juvenile and domestic relations courts in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Foshee	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Carr	Hammond	Lybrand	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dominick	Horne			—25

## Nays:

—0

**The Bill:**

H. 1475. Relating to counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court of such counties; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	Malone	Shelby	
Carr	Gilmore	Noonan	Vacca	
Cook	Givhan	O'Bannon	Weaver	
Cooper	Hammond	Owen	Wilson	
Dominick	Hawkins			—25

**Nays:** —0

**The Bill:**

H. 1476. To amend the title and Section 1 of Act No. 442, H. 192, Regular Session 1967 (Acts 1967, p. 1115), which provides further for the compensation of the chairman and members of the county commission, repeals conflicting laws in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Gilmore	Lindsey	Pelham	
Bailes	Hammond	Lybrand	Register	
Clark	Harris	Malone	Shelby	
Cook	Hawkins	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

**Nays:** —0

**The Bill:**

H. 1477. To provide further for the Court Reporters salary in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Jones	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Lybrand	Shelby	
Carr	Gilmore	Noonan	Vacca	
Clark	Givhan	O'Bannon	Wilder	
Cook	Harris	Owen	Wilson	
Dominick	Horne			—25

**Nays:** —0



## The Bill:

H. 1478. To amend the title and Section 1 of Act No. 197, H. 262, Special Session 1964 (Acts 1964, p. 260), which provides for the office, appointment, tenure, and compensation of a chief bailiff of the circuit courts of certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Edington	King	Pelham
Branyon	Gilmore	Lindsey	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

## Nays:

—0

## The Bill:

H. 1479. To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Carr	Gilmore	Lindsey	Shelby
Cook	Hammond	Lybrand	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne		

—25

## Nays:

—0

## The Bill:

H. 1480. To amend the title and Section 1 of Act No. 1003, S. 825, Regular Session 1969 (Acts 1969, p. 1878), which provides for the payment of salary and expenses of an investigator appointed by the district attorney in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Pelham
Branyon	Foshee	Lindsey	Register
Carr	Givhan	Lybrand	Vacca
Clark	Hammond	Malone	Weaver
Cook	Harris	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Jones		

—25

## Nays:

—0

## The Bill:

H. 1102. Relating to all counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to authorize an increase in the fees charged by the probate judge for the issuing of a marriage license, for performing the marriage ceremony and for the issuing of a marriage certificate in said counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	McLain	Register	
Carr	Givhan	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

## Nays:

—0

## The Bill:

H. 1120. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Pelham, Alabama and so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Carr	Fine	King	Register	
Clark	Foshee	Littleton	Shelby	
Cook	Givhan	Malone	Vacca	
Cooper	Hammond	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

H. 1135. To authorize the coroner of Lee County to appoint a deputy.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	McLain	Shelby	
Branyon	Hammond	Noonan	Vacca	
Carr	Harris	O'Bannon	Weaver	
Clark	Horne	Owen	Wilder	
Cooper	King	Pelham	Wilson	
Edington	Lindsey			—25

## Nays:

—0

**The Bill:**

H. 1136. Relating to the official court reporter of the thirty-seventh judicial circuit; authorizing the Lee County Commission to pay such reporter additional compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Lybrand	Pierce	
Bailes	Fine	McLain	Shelby	
Carr	Foshee	Noonan	Vacca	
Cook	Hammond	O'Bannon	Weaver	
Cooper	Harris	Owen	Wilder	
Dominick	Horne	Pelham	Wilson	
Dozier	King			—25

**Nays:**

—0

**The Bill:**

H. 1139. To amend the title and Section 1 of Act No. 931, H. 1484, Regular Session 1961 (Acts 1961, p. 1497), which authorizes the appointment of juvenile court officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	McLain	Pierce	
Bailes	Fine	Malone	Register	
Branyon	Givhan	Noonan	Vacca	
Clark	Hammond	O'Bannon	Weaver	
Cooper	Harris	Owen	Wilder	
Dominick	Horne	Pelham	Wilson	
Dozier	King			—25

**Nays:**

—0

**The Bill:**

H. 1137. To provide for a District Attorney's Fund for the Thirty-seventh Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Horne	Pierce	
Bailes	Fine	King	Register	
Branyon	Foshee	McLain	Vacca	
Clark	Gilmore	Noonan	Weaver	
Cooper	Givhan	O'Bannon	Wilder	
Dominick	Hammond	Owen	Wilson	
Dozier	Harris			—25

**Nays:**

—0

**The Bill:**

H. 1140. To amend the title and Section 1 of Act No. 109, H. 105, Special Session 1964 (Acts 1964, p. 169), which provides for and regulates

the licensing and operation of, and hunting on, certain privately owned hunting preserves; provides for fees, and collection and distribution thereof, for such licenses, and penalties for violations of this act, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham
Bailes	Edington	Lindsey	Pierce
Branyon	Foshee	McLain	Shelby
Carr	Gilmore	Malone	Vacca
Clark	Givhan	Noonan	Wilder
Cook	Harris	Owen	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1141. To amend the title and Section 1 of Act No. 305, H. 550, Regular Session 1965 (Acts 1965, p. 421), which authorizes the county governing body to appropriate a contingent fund out of county funds to be used for purposes not otherwise provided by law, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	King	Register
Branyon	Foshee	Lindsey	Shelby
Carr	Gilmore	Littleton	Weaver
Clark	Givhan	Lybrand	Wilder
Cooper	Hammond	Noonan	Wilson
Dozier	Harris		

—25

Nays:

—0

The Bill:

H. 1142. To amend the title and Section 1 of Act No. 676, S. 814, Regular Session 1969 (Acts 1969, p. 1211), which permits banks to establish, etc. certain branch offices within the county limits for certain purposes with consent of the state superintendent of banks, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	O'Bannon
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Shelby
Carr	Gilmore	Littleton	Vacca
Cooper	Givhan	Malone	Weaver
Dominick	Hammond	Noonan	Wilson
Dozier	Harris		

—25

Nays:

—0

**The Bill:**

H. 1143. To amend the title and Section 1 of Act No. 489, S. 635, Regular Session 1969 (Acts 1969, p. 949), which provides for payment by housing authorities or redevelopment agencies, on appeal from certain condemnation proceedings, of all reasonable costs of the proceedings in the appellate court, including a reasonable attorney's fee except in certain instances, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Clark	Gilmore	Malone	Shelby	
Cook	Givhan	Noonan	Vacca	
Dominick	Hammond	O'Bannon	Weaver	
Dozier	Harris			—25

**Nays:**

—0

**The Bill:**

H. 1144. To amend the title and Section 1 of Act No. 552, H. 381, Regular Session 1967 (Acts 1967, p. 1303), which provides, where voting machines are authorized, for the dividing of voting precincts into territories and designating a voting center therein; prescribing the number of voting machines at such centers, and providing for election officers at such centers, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	Lybrand	Register	
Carr	Hammond	McLair	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Horne	Owen	Wilder	
Dominick	King	Pelham	Wilson	
Edington	Lindsey			—25

**Nays:**

—0

**The Bill:**

H. 1145. To amend the title and Section 1 of Act No. 1120, H. 732, Regular Session 1969 (Acts 1969, p. 2076), which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Carr	Dozier	Foshee
Bailes	Cooper	Edington	Gilmore
Branyon	Dominick	Fine	Hammond

Harris	McLain	Owen	Vacca	
Horne	Malone	Pierce	Wilder	
King	Noonan	Shelby	Wilson	
Lybrand	O'Bannon			—25
Nays:				—0

## The Bill:

H. 1146. To amend the title and Section 1 of Act No. 972, H. 1407, Regular Session 1969 (Acts 1969, p. 1718), which fixes pistol permit fees and provides for deposit and use of such fees in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Register	
Branyon	Gilmore	McLain	Shelby	
Cook	Givhan	Malone	Vacca	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

## The Bill:

H. 1147. To amend the title and Section 1 of Act No. 250, H. 639, Regular Session 1963 (Acts 1963, p. 660), which changes the method of electing, the designation of, and term of office of, members of the Board of Commissioners of certain cities classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Edington	Lindsey	Pierce	
Carr	Fine	McLain	Shelby	
Clark	Foshee	Malone	Vacca	
Cook	Gilmore	Noonan	Wilder	
Cooper	Harris	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

## The Bill:

H. 1149. To propose an amendment to the Constitution of Alabama relative to the fees, commissions, percentages, allowances and compensation of the Judge of Probate and other County officers of Jackson County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Carr	Fine	Lindsey	Shelby	
Clark	Foshee	Littleton	Vacca	
Cook	Gilmore	Malone	Wilder	
Cooper	Hammond	Noonan	Wilson	
Dominick	Horne			—25

*Nays:* —0

The Bill:

H. 1159. To amend the title and Section 1 of Act No. 596, S. 779, Regular Session 1969 (Acts 1969, p. 1083), which provides for the establishment, etc. of public law libraries and the taxing and collection of law library fees as items of court costs in certain cases in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Noonan	
Bailes	Edington	King	Owen	
Branyon	Fine	Littleton	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Weaver	
Cook	Givhan	Malone	Wilder	
Cooper	Harris			—25

*Nays:* —0

The Bill:

H. 1160. To amend the title and Section 1 of Act No. 651, S. 735, Regular Session 1969 (Acts 1969, p. 1181), which provides for a temporary chairman of the county governing body should the elected chairman become incapacitated, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Weaver	
Cook	Harris	Malone	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

*Nays:* —0

The Bill:

H. 1161. To amend the title and Section 1 of Act No. 650, S. 734, Regular Session 1969 (Acts 1969, p. 1180), which pertains to the governing body and county engineers of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1162. To amend the title and Section 1 of Act No. 584, S. 676, Regular Session 1969 (Acts 1969, p. 1071), which requires the teaching of Bible history in all public high schools and provides for instructors therefor, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Noonan	
Bailes	Edington	Jones	Owen	
Carr	Fine	King	Pierce	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 1163. To amend the title and Section 1 of Act No. 277, S. 535, Regular Session 1969 (Acts 1969, p. 609), which provides further for the compensation of the county solicitor or deputy district attorney in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Register	
Bailes	Foshee	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cook	Hawkins	Owen	Wilder	
Dozier	Horne	Pierce	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 1164. To amend the title and Section 1 of Act No. 235, S. 452, Regular Session 1969 (Acts 1969, p. 566), which prohibits the sale of alcoholic beverages in certain places; provides that the Act shall not be construed as authorizing the sale of such beverages at any other places



in which a majority of the qualified electors voting at a referendum have voted that the county shall be dry, and prescribes penalties for violations, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	Littleton	Pierce	
Branyon	Fine	Lybrand	Shelby	
Carr	Foshee	McLain	Vacca	
Cook	Gilmore	Malone	Wilder	
Cooper	Givhan	Noonan	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 1165. To amend the title and Section 1 of Act No. 122, H. 477, Regular Session 1965 (Acts 1965, p. 187), which provides for the licensing of and regulation of hunting on certain privately owned hunting preserves; prescribes fees for such licenses and collection and distribution thereof, and prescribes penalties for violations, in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pierce	
Bailes	Givhan	Lybrand	Register	
Branyon	Hammond	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1166. To amend the title and Section 1 of Act No. 483, H. 809, Regular Session 1965 (Acts 1965, p. 697), which authorizes the Director of Conservation to open a season for the hunting of female deer or unantlered male deer, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Gilmore	Lindsey	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Harris	McLain	Shelby	
Cook	Hawkins	Malone	Wilder	
Cooper	Horne	Noonan	Wilson	
Edington	Jones			—25

Nays:

—0

**The Bill:**

H. 1167. To amend the title and Section 1 of Act No. 479, H. 665, Regular Session 1967 (Acts 1967, p. 1171), which provides that the regulation of the use of voting machines may be accompanied by the dividing of any voting precinct into territories in which a voting place may be designated, the setting of the number of voting machines in each such place, and the providing of election officers for each voting place, and provides the duties and compensation of such election officers, in certain counties classified on a population basis and according to whether voting machines have been or shall be authorized.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Clark	Harris	McLain	Vacca	
Cook	Hawkins	Malone	Weaver	
Dozier	Horne			—25

*Nays:* —0

**The Bill:**

H. 1168. To amend the title and Section 1 of Act No. 193, S. 79, Special Session 1969 (Acts 1969, p. 255), which provides for the payment or reimbursement to all members of the county governing body of their actual expenses incurred in performing their duties outside the county, including attendance at certain conventions, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	McLain	Weaver	
Cook	Hawkins	Malone	Wilder	
Dozier	Horne			—25

*Nays:* —0

**The Bill:**

H. 1169. To amend Section 9 of Title 19, Code of Alabama 1940, as last amended, which relates to the condemnation of property already devoted to public use, to exempt this section from application to certain railroad right-of-way crossings, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Harris	Malone	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1170. To amend the title and Section 1 of Act No. 130, H. 372, Regular Session 1969 (Acts 1969, p. 404), which authorizes county boards of education to appoint the superintendent of education, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Wilder	
Cooper	Harris	Noonan	Wilson	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 1171. To amend the title and Section 1 of Act No. 187, S. 376, Regular Session 1969 (Acts 1969, p. 502), which regulates the compensation of jurors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Edington	King	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Weaver	
Cook	Hammond	Malone	Wilder	
Cooper	Harris	Noonan	Wilson	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 1172. To amend the title and Section 1 of Act No. 205, S. 375, Regular Session 1969 (Acts 1969, p. 524), which fixes the fee for the issuance of pistol permits by the sheriff and provides for the distribution and use thereof, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	Lindsey	Pierce
Branyon	Fine	Lybrand	Vacca
Carr	Gilmore	McLain	Weaver
Cook	Givhan	Malone	Wilder
Cooper	Hammond	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1173. To amend the title and Section 1 of Act No. 214, S. 293, Regular Session 1969 (Acts 1969, p. 533), which authorizes the boards of registrars to meet an additional ten days per year and to be paid a travel allowance, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Noonan
Bailes	Fine	Jones	Owen
Branyon	Foshee	King	Pierce
Carr	Gilmore	Lindsey	Register
Cooper	Givhan	Littleton	Weaver
Dominick	Hammond	Malone	Wilder
Dozier	Hawkins		

—25

Nays:

—0

The Bill:

H. 1174. To amend the title and Section 1 of Act No. 191, S. 422, Regular Session 1969 (Acts 1969, p. 504), which increases the salary of the Judge of the Inferior Court for certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen
Branyon	Edington	Jones	Pierce
Carr	Fine	Lybrand	Register
Clark	Givhan	McLain	Weaver
Cook	Hammond	Malone	Wilder
Cooper	Harris	Noonan	Wilson
Dominick	Hawkins		

—25

Nays:

—0

The Bill:

H. 1176. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the City of Brent in Bibb County.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 1176, to-wit:

## SUBSTITUTE FOR H. B. 1176

A BILL  
TO BE ENTITLED  
AN ACT

To alter, rearrange, extend and redefine the boundary lines and corporate limits of the City of Brent in Bibb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Brent in Bibb County are hereby altered, rearranged, extended and re-defined so as to include within the corporate limits of the city all territory now within such corporate limits and also certain other additional and adjacent territory as follows:

## PARCEL NO. 1:

Begin at the SW corner, Section 4, Township 22 North, Range 9 East, thence East along South boundary of Section 4, to SE corner of SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 4, thence North along  $\frac{1}{2}$  Section line to SE corner of SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 4, thence West to SW corner of said quarter, thence North along West boundary of said quarter to intersection of present Brent City Limit line, thence Southwesterly along present City Limit line to intersection of West boundary of NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 4, thence continue South along present City Limit line which is also the West boundary of Section 4, to the point of beginning.

## PARCEL NO. 2:

Begin at SW corner of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 33, Township 23 North, Range 9 East, thence East along southern boundary of Section 33, and Southern boundary of Section 34 to NW corner of NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 3, Township 22 North, Range 9 East, thence South along West boundary for a distance of 660', thence East parallel to North boundary of said quarter section to intersection of East boundary, thence North along section line to NE corner of NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 34, which is present Brent City Limit line, thence West along North boundary of said quarter-quarter section to NW corner of said quarter-quarter section, thence South along West boundary of said quarter-quarter section to the SW corner, thence West to SE corner of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , thence North along East boundary of said quarter-quarter section to NE corner of said quarter-quarter section which is intersection of present City Limit line, thence West along North boundary of said quarter-quarter section to the NW corner of said quarter-quarter section, thence SW along present City Limit line to the point of beginning.

## PARCEL No. 3:

Begin at the SW corner of SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 5, Township 22 North, Range 9 East, thence North to the NW corner of NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 5, Thence East along North boundary of said quarter-quarter section to NE corner of said quarter-quarter section, thence North to NW corner of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  Section 32, thence East along half section line to NE corner of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  Section 32, thence North along West boundary of Section 33, and East boundary of 32, to NW corner of Section 33, thence East along North boundary of Section 33, to the NE corner of NE $\frac{1}{4}$  of NW $\frac{1}{4}$  which is present City Limit line, thence Southwesterly along present City Limit line to intersection of South boundary

of Section 32, Township 23 North, Range 9 East, thence continues Southwesterly along present City Limit line to intersection of West boundary of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  Section 5, thence Southeasterly along present City Limit line to intersection of South boundary of Section 5, Township 22 North, Range 9 East, thence West along South boundary of said section to SW corner of SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 5 the point of beginning.

PARCEL NO. 4:

Begin at the SW corner of Section 21, Township 23 North, Range 9 East, thence North along West boundary of said section and West boundary of Section 16 to NW corner of NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 16, thence East to the NE corner of said quarter-quarter section which is present Brent City Limit line, thence South along present City Limit line to SE corner of said quarter-quarter section, thence East along present City Limit line to NE corner of SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 16, thence South to the NW corner of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 21, thence East to NE corner of said quarter-quarter section, thence South along quarter section line to SE corner of NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 28, thence West to SW corner of NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 28, thence North along West boundary of said quarter-quarter section to NW corner of Section 23, Township 23 North, Range 9 East, the point of beginning.

PARCEL NO. 5:

Begin at the SW corner of Section 15, Township 23 North, Range 9 East, thence East along South boundary of said section to the SE corner of SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 15, thence North along East boundary of said quarter-quarter section to NE corner of said quarter-quarter section, thence East to the SE corner of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 15, thence North along East boundary of said quarter-quarter section to the NE corner, thence West to the NW corner of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 15, thence South to the SW corner of said quarter-quarter section, thence west to the NW corner of SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 16, thence South along the West boundary of said quarter-quarter section to the SW corner of said quarter-quarter section, thence East along South boundary of Section 16 to the point of beginning.

PARCEL NO. 6:

Begin at the NW corner of SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 22, Township 23 North, Range 9 East, thence South along half section line to SW corner of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 22, thence East along section line for a distance of 680', thence North parallel to West boundary of said quarter-quarter section to intersection of North boundary, thence East along North boundary of said quarter-quarter section to the SE corner of NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 22, thence North along quarter section line to the NE corner of SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 22, thence West along North boundary of said quarter-quarter section to the NW corner which is the point of beginning.

All of the above being located and situated in Bibb County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Littleton	Shelby	
Carr	Foshee	Lybrand	Vacca	
Clark	Givhan	Malone	Weaver	
Cook	Harris	Owen	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Dozier	King			—25

Nays: —0

And said Bill, H. B. 1176, as thus amended by the substitute was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Littleton	Shelby	
Carr	Foshee	Lybrand	Vacca	
Clark	Givhan	McLain	Weaver	
Cook	Harris	Noonan	Wilder	
Dominick	Hawkins	Pelham	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1177. To regulate further the allowances, fees, deputies, equipment and maintenance of the sheriff's department of Elmore County, Alabama.

was taken up.

Mr. Wilder offered the following amendment to the Bill, H. B. 1177, to-wit:

## AMENDMENT TO H. B. 1177

Section 4 of H. B. 1177 is hereby amended to read as follows:

Section 4. All fees derived from the sale of pistol permits shall be paid into an account in a bank of the sheriff's choice and one-fifth shall be paid by him to the county general fund and the remaining four-fifths may be drawn on and used at the sole discretion of the sheriff for the purchase of equipment, materials and supplies as needed by the sheriff's department.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Noonan	Vacca	
Dominick	Harris	O'Bannon	Wilder	
Dozier	Horne			—25

Nays: —0

And said Bill, H. B. 1177, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Noonan
Carr	Foshee	King	Owen
Clark	Gilmore	Lindsey	Pierce
Cook	Givhan	Lybrand	Shelby
Cooper	Harris	McLain	Vacca
Dozier	Hawkins	Malone	Wilder
Edington	Horne		

—25

Nays:

—0

The Bill:

H. 1178. To repeal Act No. 242, H. 921, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 344), entitled, "An Act To apply in all counties having populations of not less than 31,000 nor more than 32,000: authorizing nighttime hunting of racoons with rifle or shotgun; repealing conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	King	Pelham
Branyon	Foshee	Lybrand	Register
Clark	Givhan	Malone	Vacca
Cook	Hammond	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1179. To repeal Act No. 125, H. 275, approved, July 10, 1963, Regular Session 1963 (Acts 1963, p. 500), entitled, "An Act Relating to counties having populations of not less than 31,000 nor more than 32,000 according to the most recent federal decennial census; prescribing further the fees allowed sheriffs in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Vacca
Clark	Givhan	Noonan	Weaver
Cook	Harris	O'Bannon	Wilder
Cooper	Horne		

—25

Nays:

—0

The Bill:

H. 1180. To repeal Act No. 1195, H. 1434, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2234), entitled, "An Act Relating



to counties having populations of not less than 31,000 nor more than 32,000; to alter, rearrange and extend the corporate limits of certain towns within such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dominick	Hawkins	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lybrand	Register	
Carr	Foshee	McLain	Vacca	
Clark	Gilmore	Noonan	Weaver	
Cook	Givhan	O'Bannon	Wilson	
Cooper	Harris			—25

*Nays:* —0

The Bill:

H. 1181. To amend the title and Section 1 of Act No. 126, H. 365, Regular Session 1967, (Acts 1967, p. 463), which provides for dividing any voting precinct into territories; designating voting centers in such territories; and providing for the operation of such voting centers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Owen	
Branyon	Fine	King	Pelham	
Carr	Foshee	Lindsey	Register	
Cook	Gilmore	Lybrand	Weaver	
Cooper	Hammond	McLain	Wilder	
Dominick	Harris			—25

*Nays:* —0

The Bill:

H. 1182. To amend the title and Section 1 of Act No. 469, H. 562, Regular Session 1967, (Acts 1967, p. 1161), which fixed the compensation of the deputy sheriffs in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Register	
Carr	Givhan	Littleton	Vacca	
Clark	Harris	McLain	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne			—25

*Nays:* —0

The Bill:

H. 1183. To amend the title and Section 1 of Act No. 358, H. 362, Special Session 1966, (Acts 1966, p. 498), which authorized the board of

revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	King	Owen	
Branyon	Fine	Jones	Pelham	
Carr	Foshee	McLain	Register	
Clark	Gilmore	Malone	Vacca	
Cook	Givhan	Noonan	Wilson	
Dominick	Hawkins			—25

Nays:

—0

The Bill:

H. 1184. To amend the title and Section 1 of Act No. 470, H. 563, Regular Session, 1967, (Acts 1967, p. 470), which provided for fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Lybrand	Register	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1185. To amend the title and Section 1 of Act No. 77, H. 458, Regular Session, 1965, (Acts 1965, p. 104), which provided for compensation of the members of the boards of education of such counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	Malone	Vacca	
Clark	Harris	McLain	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne			—25

Nays:

—0

## The Bill:

H. 1186. To amend the title and Section 1 of Act No. 331, H. 808, Regular Session 1965, (Acts 1965, p. 460), which provided for expense allowances for the coroners of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Owen	
Carr	Gilmore	Littleton	Pelham	
Clark	Hammond	Lybrand	Register	
Cook	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones			—25

Nays: —0

## The Bill:

H. 1187. To amend the title and Section 1 of Act No. 468, H. 561, Regular Session 1967, (Acts 1967, p. 1160), which provided for regulating compensation of election officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

## The Bill:

H. 1188. To amend the title and Section 1 and 2 of Act No. 1194, H. 1433, Regular Session 1969, (Acts 1969, p. 2234), which provided for the operation of non-profit ambulance services by such counties and municipalities in all such counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	Lindsey	Owen	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Weaver	
Cooper	Givhan	Malone	Wilder	
Dominick	Hammond	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

**The Bill:**

H. 1189. To amend the title and Section 1 of Act No. 714, H. 1010, Regular Session 1967, (Acts 1967, p. 1551), which provided for per diem pay for members of the county board of equalization in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Horne	O'Bannon
Bailes	Fine	Jones	Owen
Branyon	Foshee	King	Pelham
Carr	Gilmore	Littleton	Register
Clark	Givhan	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins		

—25

**Nays:**

—0

**The Bill:**

H. 1190. To amend the title and Section 1 of Act No. 776, H. 1487, Regular Session 1961 (Acts 1961, p. 1114), which Act provides for the payment of an allowance for the chairman of the county commission in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	Lindsey	Owen
Bailes	Foshee	Littleton	Pelham
Branyon	Gilmore	Lybrand	Pierce
Clark	Hammond	McLain	Shelby
Cook	Hawkins	Malone	Vacca
Dozier	Horne	O'Bannon	Wilder
Edington	King		

—25

**Nays:**

—0

**The Bill:**

H. 1191. To amend the title and Section 1 of Act No. 660, S. 766, Regular Session 1969 (Acts 1969, p. 1194), which Act provides for the licensing of, and to regulate the operation of, hunting on privately owned hunting preserves, stocked by artificially propagated uplands in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Lybrand	Register
Carr	Gilmore	Malone	Weaver
Clark	Hammond	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Dozier	Jones		

—25

**Nays:**

—0

The Bill:

H. 1192. To amend the title and Section 1 of Act No. 510, H. 1125, Regular Session 1965 (Acts 1965, p. 750), which Act authorizes the establishment of branch banks in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Carr	Foshee	Lindsey	Pelham	
Clark	Gilmore	Littleton	Pierce	
Cook	Hammond	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1193. To amend the title and Section 1 of Act No. 172, S. 92, Special Session 1962 (Acts 1962, p. 218), which Act withdraws jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Clark	Hammond	Malone	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1194. To amend the title and Section 1 of Act No. 379, H. 937, Regular Session 1969 (Acts 1969, p. 750), which Act authorizes the deputy district attorney to employ a full time secretary and to fix the salary therefore.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Register	
Clark	Gilmore	McLain	Shelby	
Cook	Hammond	Malone	Wilder	
Cooper	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

**The Bill:**

H. 1195. To amend the title and Section 1 of Act No. 783, H. 1362, Regular Session 1961 (Acts 1961, p. 1135), which Act prohibits the taking of fish from public waters by the use of hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except set-lines, trotlines, and snaglines in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Littleton	Pelham
Bailes	Foshee	Lybrand	Pierce
Branyon	Gilmore	McLain	Register
Clark	Hammond	Malone	Shelby
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Horne	Owen	Wilder
Dozier	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1196. To amend the title and Section 1 of Act No. 182, H. 78, Special Session 1961 (Acts 1961, p. 2154), which Act further regulates the compensation and allowances of members of the Board of Registrars of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Register
Clark	Gilmore	Littleton	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Hawkins	O'Bannon	Wilson
Dominick	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1197. To amend the title and Section 1 of Act No. 248, H. 595, Regular Session 1969 (Acts 1969, p. 580), which Act provides for the selection of text books and instructional materials for use in the public schools in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Lindsey	Pelham
Bailes	Gilmore	McLain	Pierce
Branyon	Hammond	Malone	Vacca
Carr	Hawkins	Noonan	Weaver
Clark	Horne	O'Bannon	Wilder
Cook	Jones	Owen	Wilson
Dominick	King		

—25

**Nays:**

—0

## The Bill:

H. 1198. To amend the title and Section 1 of Act No. 455, H. 470, Regular Session 1967 (Acts 1967, p. 1147), which Act provides for the compensation of the members of the board of equalization in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Littleton	Pierce	
Carr	Foshee	Lybrand	Vacca	
Clark	Gilmore	Malone	Weaver	
Cook	Hammond	Noonan	Wilson	
Cooper	Horne			—25

## Nays:

—0

## The Bill:

H. 1199. To amend the title and Section 1 of Act No. 270, H. 74, Special Session 1966 (Acts 1966, p. 410), which Act authorized the sheriff to employ additional deputies fixing their powers and duties and providing for their compensation in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Gilmore	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

H. 1200. To amend the title and Section 1 of Act No. 183, H. 79, Special Session 1961 (Acts 1961, p. 2155), which Act further regulates the compensation and allowances of members of the board of equalization of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Lybrand	Pelham	
Branyon	Gilmore	McLain	Pierce	
Carr	Hammond	Malone	Shelby	
Clark	Hawkins	Noonan	Weaver	
Cook	Horne	O'Bannon	Wilder	
Cooper	Jones			—25

## Nays:

—0

## The Bill:

H. 1201. To repeal Act No. 171, S. 91, approved, July 16, 1962, Special Session 1962 (Acts of Alabama 1962, p. 217) entitled, "An Act To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, for making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Shelby
Cook	Hammond	Lybrand	Weaver
Dominick	Hawkins	McLain	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones		

—25

## Nays:

—0

## The Bill:

H. 1202. To repeal Act No. 181, H. 77, approved, September 15, 1961, Special Session 1961 (Acts of Alabama 1961, p. 2154) entitled, "An Act To provide an additional expense allowance for the members of the County Board of Education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	King	Pierce
Bailes	Fine	Lindsey	Shelby
Branyon	Foshee	McLain	Vacca
Carr	Gilmore	Malone	Weaver
Clark	Hammond	O'Bannon	Wilder
Cook	Hawkins	Owen	Wilson
Cooper	Horne		

—25

## Nays:

—0

## The Bill:

H. 1203. To repeal Act No. 915, H. 1301, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1646) entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

Was read a third time at length and passed.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Foshee	McLain	Pierce	
Carr	Gilmore	Malone	Shelby	
Clark	Hammond	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1204. To amend the title and Section 1 of Act No. 438, H. 788, Regular Session 1969 (Acts 1969, p. 873), which Act authorizes the county governing body to fix the amount and prescribe the manner of compensating the members of the jury commissions in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Edington	Lindsey	Pierce	
Branyon	Fine	Lybrand	Shelby	
Carr	Gilmore	Noonan	Vacca	
Cook	Hammond	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1205. To amend the title and Section 1 of Act No. 195, H. 208, Special Session 1967 (Acts 1967, p. 242), which Act provides for payment of additional expense allowances to the chairman and members of the governing body of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Gilmore	McLain	Register	
Clark	Hammond	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1206. To amend the title and Section 1 of Act No. 654, H. 879, Regular Session 1967 (Acts 1967, p. 1475), which Act provides for expense allowances for coroners in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce
Bailes	Fine	Lindsey	Shelby
Branyon	Foshee	McLain	Vacca
Carr	Gilmore	Noonan	Weaver
Clark	Hammond	O'Bannon	Wilder
Cook	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1207. To amend the title and Section 1 of Act No. 380, H. 938, Regular Session 1969 (Acts 1969, p. 751), which Act provides an additional expense allowance for the members of the county board of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Littleton	Register
Carr	Foshee	McLain	Vacca
Cook	Gilmore	Malone	Weaver
Cooper	Hammond	O'Bannon	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1208. To amend the title and Section 1 of Act No. 137, H. 457, Regular Session 1969 (Acts 1969, p. 410), which Act provides for an expense allowance for the judge of the county court in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Littleton	Pierce
Carr	Gilmore	McLain	Register
Cook	Hammond	Malone	Shelby
Cooper	Horne	O'Bannon	Vacca
Dominick	Jones	Owen	Wilder
Edington	King		

—25

Nays:

—0

The Bill:

H. 1209. To amend the title and Section 1 of Act No. 144, H. 165, Special Session 1967 (Acts 1967, p. 194), which Act authorizes the county commission to appropriate funds from the general fund for the purpose of employing clerical help in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pelham	
Clark	Gilmore	McLain	Register	
Cook	Hammond	Malone	Shelby	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1210. To amend the title and Section 1 of Act No. 439, H. 789, Regular Session 1969 (Acts 1969, p. 875), which Act authorizes the county commission to appropriate county funds to establish a contingent fund; and providing for the use of such funds in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Foshee	McLain	Shelby	
Carr	Gilmore	Noonan	Weaver	
Clark	Hammond	O'Bannon	Wilder	
Cook	Hawkins	Owen	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1211. To amend the title and Section 1 of Act No. 380, H. 938, Regular Session (Acts 1969, p. 751), which Act provides an additional expense allowance for the members of the county board of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Foshee	McLain	Pierce	
Carr	Gilmore	Malone	Vacca	
Clark	Hammond	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1212. To amend the title and Section 1 of Act No. 1203, H. 1449, Regular Session 1969 (Acts 1969, p. 2245), which Act provides for the taxing of additional court cost on misdemeanors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Owen	
Carr	Fine	Lindsey	Pelham	
Clark	Foshee	Littleton	Shelby	
Cook	Gilmore	Lybrand	Weaver	
Cooper	Hammond	McLain	Wilder	
Dominick	Hawkins	Malone	Wilson	
Dozier	Jones			—25

*Nays:*

—0

The Bill:

H. 1213. To amend the title and Section 1 of Act No. 82, H. 81, Special Session 1967 (Acts 1967, p. 114), which Act authorizes the county commission to appropriate funds from the Highway Traffic Funds or other funds in the county treasury for law enforcement purposes, including the payment of deputy salaries, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Gilmore	McLain	Pierce	
Carr	Hammond	Malone	Register	
Clark	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Weaver	
Cooper	Jones	Owen	Wilder	
Dozier	King	Pelham	Wilson	
Edington	Littleton			—25

*Nays:*

—0

The Bill:

H. 1221. Relating to Lee County: To abolish the offices of county solicitor and deputy circuit solicitor or deputy district attorney, however designated, for such county, and to require the district attorney of the Thirty-seventh Judicial Circuit to represent the State of Alabama and Lee County in all proceedings in which the county solicitor or deputy circuit solicitor or deputy district attorney, however designated, were formerly required by law to represent the State or the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Littleton	Register	
Carr	Gilmore	Malone	Vacca	
Clark	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

*Nays:*

—0

The Bill:

H. 1222. Providing a method for issuing motor vehicle tags by mail in Colbert County by the Judge of Probate.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Carr	Foshee	Littleton	Register
Clark	Gilmore	McLain	Vacca
Cooper	Givhan	Malone	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1233. To apply in counties having population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

was taken up.

Mr. Littleton offered the following amendment to the Bill, H. B. 1233, to-wit:

#### AMENDMENT TO H. B. 1233

In Section 1 opposite the word "Matron" and under the column designated "Compensation" strike out the words "Shall be comparable to state trooper in Alabama Highway Patrol" and insert in lieu thereof the words "Shall be comparable to a Clerk Stenographer III in the Alabama Department of Public Safety."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Littleton	Shelby
Carr	Givhan	McLain	Vacca
Clark	Harris	Malone	Weaver
Cook	Hawkins	O'Bannon	Wilson
Dominick	Horne		

—25

Nays:

—0

Mr. Littleton then offered the following amendment to the Bill, H. B. 1233, as amended, to-wit:

#### AMENDMENT TO H. B. 1233

Amend Section 2 of House Bill 1233 by changing the period at the end thereof, substituting said period for a comma and adding the following thereto:

"such training, schooling and inservice training be paid by the county governing body."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Noonan	Wilder	
Cooper	Harris	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

And said Bill, H. B. 1233, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Nays:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Shelby	
Carr	Gilmore	Malone	Vacca	
Cook	Givhan	Noonan	Wilder	
Cooper	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1234. To create and establish the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws.

was taken up.

Mr. Littleton offered the following amendment to the Bill, H. B. 1234, to-wit:

#### AMENDMENT TO H. B. 1234

Amend H. B. 1234 by adding the following at the end of Section 13, Sub-section (a):

"A bailiff shall be appointed by the sheriff to serve upon this court at the request and on the approval of the Judge of said court."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Owen	
Branyon	Fine	King	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Gilmore	McLain	Vacca	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins			—25

Nays: —0

And said Bill, H. B. 1234, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	King	Register	
Branyon	Givhan	Littleton	Vacca	
Carr	Hammond	McLain	Weaver	
Clark	Harris	Malone	Wilder	
Cook	Hawkins	Owen	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1232. Relating to Shelby County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal night-time deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Littleton	Pelham	
Branyon	Gilmore	McLain	Pierce	
Carr	Harris	Malone	Shelby	
Clark	Hawkins	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1237. To authorize the county governing body of St. Clair County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yea:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Shelby	
Carr	Givhan	McLain	Vacca	
Cook	Harris	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Edington	Jones	Pelham	Wilson	
Fine	King			—25

Nays: —0

The Bill:

H. 1238. To repeal Act No. 516, H. 1029, approved August 21, 1969, entitled, "An Act relating to counties having a population of not less than 24,800 nor more than 25,400 according to the most recent Federal Decennial Census; to authorize the county governing body of any such

county to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law." (Acts of Alabama, Regular Session, 1969, p. 992)

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Shelby	
Cook	Givhan	Malone	Vacca	
Cooper	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

*Nays:*

—0

**The Bill:**

H. 1239. To repeal Act No. 621, H. 1201, approved August 26, 1965, entitled, "An Act to apply only in counties having populations of not less than 24,800 nor more than 25,400, according to the most recent federal decennial census; regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of such counties." (Acts of Alabama, 1965, p. 1135).

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Carr	Gilmore	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	King			—25

*Nays:*

—0

**The Bill:**

H. 1241. To amend Section 4 of Act No. 125, H. 112, First Special Session 1965 (Acts of Alabama, 1965 First Special Session, P. 177), which Act provided for the position of clerk-secretary to the circuit solicitor of the 30th Judicial Circuit, so as to increase the salary of said clerk-secretary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Littleton	Pierce	
Bailes	Givhan	Lybrand	Shelby	
Carr	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

*Nays:*

—0



The Bill:

H. 1278. To amend the title and Section 1 of Act No. 141, H. 142, Special Session 1969 (Acts 1969, p. 206), which provides for the traveling expenses of the sheriff and constable of the county court for serving summons or other mesne process, except subpoenas for witnesses, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pelham	
Bailes	Fine	King	Register	
Branyon	Foshee	Littleton	Vacca	
Carr	Givhan	Lybrand	Weaver	
Clark	Harris	Malone	Wilder	
Cook	Hawkins	Owen	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1279. To amend the title and Section 1 of Act No. 373, H. 930, Regular Session 1969 (Acts 1969, p. 741), which provides for taxing, collecting, and remitting of circuit court costs by the town or cities located in certain counties classified on a population basis when a case has been appealed from certain courts or certain disposition has been made of the case.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Carr	Gilmore	Littleton	Pierce	
Clark	Hammond	Lybrand	Shelby	
Cook	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1280. To amend the title and Section 1 of Act No. 367, H. 915, Regular Session 1969 (Acts 1969, p. 737), which fixes the compensation of officers of the circuit court in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Carr	Gilmore	Lindsey	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

**The Bill:**

H. 1281. To amend the title and Section 1 of Act No. 364, H. 912, Regular Session 1969 (Acts 1969, p. 734), which provides for expense allowances for certain officers of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Lybrand	Pelham
Bailes	Fine	King	Pierce
Carr	Foshee	Littleton	Register
Clark	Gilmore	Malone	Vacca
Cook	Givhan	O'Bannon	Weaver
Dominick	Harris	Owen	Wilson
Dozier	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1282. To amend the title and Section 1 of Act No. 366, H. 914, Regular Session 1969 (Acts 1969, p. 736), which increases the expense allowance of the county judges in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	King	Pelham
Carr	Foshee	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	Malone	Vacca
Dominick	Harris	O'Bannon	Wilder
Dozier	Horne	Owen	Wilson
Edington	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1283. To repeal Act No. 190, H. 389, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 230), as last amended, entitled, "An Act Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants, according to the 1960 or any subsequent federal decennial census; regulating the compensation of members and clerks of jury commissions in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Register
Carr	Givhan	Littleton	Shelby
Clark	Hammond	Lybrand	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1284. To repeal Act No. 412, H. 878, Regular Session 1961 (Acts 1961, p. 429), approved August 7, 1961, as last amended, "An Act To regulate further the compensation and allowances of certain officers of counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	King	Pelham,
Bailes	Foshee	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Clark	Harris	Malone	Vacca
Cook	Hawkins	O'Bannon	Weaver
Cooper	Horne	Owen	Wilson
Dominick	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1285. To repeal Act No. 158, H. 399, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 206) entitled, "An Act to fix the compensation of the coroner in any county in Alabama having a population of not less than 96,000 nor more than 106,000 according to the last or any subsequent decennial federal census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Pelham
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Harris	Malone	Shelby
Clark	Hawkins	O'Bannon	Vacca
Cooper	Horne	Owen	Wilder
Dominick	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1286. To repeal Act No. 62, H. 102, approved July 2, 1962, Special Session 1962 (Acts 1962, p. 81) entitled, "An Act to amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Lybrand	Register
Clark	Givhan	Malone	Shelby
Cook	Hawkins	O'Bannon	Weaver
Dozier	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1287. To repeal Act No. 163, H. 409, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 209) entitled, "An Act to regulate further the county courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	O'Bannon
Bailes	Foshee	King	Pierce
Carr	Givhan	Lindsey	Shelby
Cook	Hammond	Littleton	Weaver
Cooper	Harris	Lybrand	Wilder
Dominick	Hawkins	Malone	Wilson
Dozier	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1288. To repeal Act No. 192, H. 391, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 231) entitled, "An Act to provide for the compensation of special bailiffs in the circuit courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pierce
Clark	Foshee	Lindsey	Shelby
Cook	Gilmore	Lybrand	Vacca
Cooper	Givhan	Malone	Weaver
Dominick	Hammond	O'Bannon	Wilson
Dozier	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1289. To repeal Act No. 432, H. 752, approved September 2, 1963, Regular Session 1963 (Acts 1963, p. 962) entitled, "An Act to amend Section 2 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, p. 429), relating to certain county officers in counties classified according to population.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Pelham,
Bailes	Foshee	Lindsey	Pierce
Branyon	Givhan	Lybrand	Register
Carr	Harris	Malone	Vacca
Clark	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1290. To repeal Act No. 426, H. 466, approved September 2, 1963, Regular Session 1963 (Acts 1963, p. 945), entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000; providing additional expense allowances for certain county officers, payable from the general funds of the county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Hawkins	Owen
Bailes	Edington	Jones	Pelham
Branyon	Fine	King	Register
Carr	Foshee	Lybrand	Shelby
Clark	Gilmore	Malone	Weaver
Cook	Givhan	O'Bannon	Wilder
Dominick	Hammond		

—25

**Nays:**

—0

**The Bill:**

H. 1291. To repeal Act No. 310, H. 554, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 790), entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000; regulating and providing for payment of expense allowances of constables serving the county court in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Pelham
Branyon	Fine	Lindsey	Pierce
Carr	Foshee	Lybrand	Register
Cook	Gilmore	Malone	Vacca
Cooper	Givhan	O'Bannon	Weaver
Dominick	Hammond	Owen	Wilder
Dozier	Hawkins		

—25

**Nays:**

—0

**The Bill:**

H. 1292. To repeal Act No. 146, S. 233, approved July 16, 1965, Regular Session 1965 (Acts 1965, p. 213) entitled, "An Act to apply only in counties having populations of not less than 96,000 nor more than 106,000; regulating the compensation of bailiffs serving the circuit courts of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	King	Register
Branyon	Gilmore	Littleton	Shelby
Carr	Hammond	Lybrand	Vacca
Clark	Harris	Malone	Wilder
Cook	Hawkins	O'Bannon	Wilson
Dominick	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1293. To repeal Act No. 167, H. 413, approved August 1, 1961, Regular Session 1961, (Acts 1961, p. 211) entitled, "An Act to provide for the appointment and tenure and number, and fixing the compensation of bailiffs for circuit courts of Alabama in circuits having two circuit judges composed of one county having populations of not less than 96,000 people nor more than 116,000 people according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Jones	Pelham	
Bailes	Edington	Littleton	Register	
Branyon	Fine	Lybrand	Vacca	
Carr	Foshee	Malone	Weaver	
Clark	Gilmore	O'Bannon	Wilder	
Cook	Givhan	Owen	Wilson	
Cooper	Harris			—25

**Nays:** —0

**The Bill:**

H. 1294. To repeal Act No. 365, H. 913, approved August 12, 1969, Regular Session 1969 (Acts 1969, p. 735), entitled, "An Act Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Foshee	King	Pelham	
Branyon	Givhan	Lindsey	Register	
Carr	Hammond	Littleton	Vacca	
Cook	Harris	Lybrand	Weaver	
Cooper	Hawkins	Malone	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

**Nays:** —0

**The Bill:**

H. 1295. To repeal Act No. 451, S. 436, approved September 4, 1963, Regular Session 1963 (Acts 1963, p. 983) entitled, "An Act relating to judicial circuits composed of one county having a population of not less than 96,000 nor more than 108,000; providing a supplemental salary for the judges of such circuits subject to certain contingencies."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Horne	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Vacca	
Clark	Givhan	Malone	Weaver	
Cook	Hammond	O'Bannon	Wilder	
Cooper	Harris			—25

**Nays:** —0

## The Bill:

H. 1296. To repeal Act No. 706, H. 1117, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1307), as last amended, entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; further regulating the compensation and allowances of certain county officers."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Foshee	Lindsey	Register	
Branyon	Givhan	Littleton	Shelby	
Carr	Hammond	Lybrand	Vacca	
Clark	Harris	Malone	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

## The Bill:

H. 1297. To repeal Act No. 151, S. 234, approved July 20, 1965, Regular Session 1965 (Acts 1965, p. 216) entitled, "An Act to apply in all counties having populations of not less than 96,000 nor more than 106,000; fixing the term of office of the county license inspector."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

Nays: —0

## The Bill:

H. 1298. To repeal Act No. 157, S. 276, approved July 23, 1965, Regular Session 1965 (Acts 1965, p. 227) entitled, "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Carr	Foshee	King	Pelham	
Clark	Givhan	Littleton	Pierce	
Cook	Hammond	Lybrand	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

## The Bill:

H. 1299. To repeal Act No. 318, H. 759, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 438) entitled, "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Littleton	Pierce
Carr	Foshee	Lybrand	Register
Cook	Gilmore	Malone	Shelby
Cooper	Givhan	O'Bannon	Wilder
Dominick	Harris	Owen	Wilson
Dozier	Jones		

—25

## Nays:

—0

## The Bill:

H. 1523. To repeal Act No. 561, H. 396, approved August 25, 1961, Regular Session 1961, (Acts 1961, p. 660), entitled, "An Act Providing further for the operation of the county board of equalization of each county having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board; and providing for the employment of a secretary-appraiser by the board and other employees of the board."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	O'Bannon
Branyon	Fine	King	Pelham
Clark	Foshee	Lindsey	Pierce
Cook	Givhan	Littleton	Register
Cooper	Harris	Lybrand	Vacca
Dominick	Hawkins	Malone	Wilder
Dozier	Horne		

—25

## Nays:

—0

## The Bill:

H. 1524. To repeal Act No. 111, H. 252, approved July 1, 1969, Regular Session 1969 (Acts 1969, p. 391), entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education."

Was read a third time at length and passed.



Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Register	
Branyon	Fine	Lindsey	Vacca	
Carr	Foshee	Littleton	Weaver	
Clark	Gilmore	Lybrand	Wilder	
Cook	Hammond	Malone	Wilson	
Cooper	Horne			—25

*Nays:* —0

The Bill:

S. 916. Act No. 31, H. 96 Third Special Session 1965 (Acts 1965 Third Special Session v. 1, p. 239) an Act to provide per diem compensation payable out of the county treasury to the county sheriff for attending sessions of an inferior court created by law in counties of not less than 21,900 nor more than 22,300 population.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, S. B. 916, to-wit:

#### SUBSTITUTE FOR S. B. 916

#### A BILL TO BE ENTITLED AN ACT

To repeal Act No. 31, H. 96, Third Special Session 1965 (Acts 1965 Third Special Session, v. 1, p. 239) an Act to provide per diem compensation payable out of the county treasury to the county sheriff for attending sessions of an inferior court created by law in counties of not less than 21,900 nor more than 22,300 population.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 31, H. 96 Third Special Session 1965 (Acts 1965 Third Special Session, v. 1, p. 239) an Act to provide per diem compensation payable out of the county treasury to the county sheriff for attending sessions of an inferior court created by law in counties of not less than 21,900 nor more than 22,300 population is hereby repealed.

Section 2. This Act does not affect rights and duties which matured before its effective date.

Section 3. This Act shall become law upon its passage and approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Carr	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

*Nays:* —0

And said Bill, S. B. 916, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Hammond	Noonan	Vacca	
Clark	Harris	O'Bannon	Wilder	
Cook	Hawkins	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 949. To create an additional position of assistant district attorney for the Twenty-third Judicial Circuit of Alabama to be assigned to prosecute cases returnable to the Family Court Division of the Circuit Court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Carr	Foshee	Lindsey	Shelby	
Clark	Gilmore	Littleton	Vacca	
Cook	Givhan	McLain	Wilder	
Dominick	Harris	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 950. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent decennial census; to authorize the attorneys retained and paid by such county governing bodies to defend any county employee sued because of an alledged act of negligence which occurred within the line and scope of that employee's employment.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Littleton	Register	
Carr	Foshee	McLain	Vacca	
Clark	Gilmore	Noonan	Weaver	
Cook	Givhan	O'Bannon	Wilder	
Cooper	Harris			—25

Nays: —0

## The Bill:

S. 951. To alter or rearrange the boundary lines of the City of Cordova, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Walker County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Edington	Lindsey	Pierce	
Branyon	Foshee	McLain	Shelby	
Clark	Givhan	Malone	Vacca	
Cook	Hammond	O'Bannon	Weaver	
Cooper	Harris	Owen	Wilson	
Dominick	Horne			—25

## Nays:

—0

## The Bill:

S. 953. Relating to Marshall County; to require the use of voting machines at all polling places; to permit electors to register vote on any voting machine at the designated voting place; to permit the consolidation of polling places; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Cook	Hammond	O'Bannon	Weaver	
Cooper	Hawkins	Owen	Wilder	
Dozier	King	Pelham	Wilson	
Fine	Lindsey			—25

## Nays:

—0

## The Bill:

S. 954. Relating to Marshall County; regulating the place for holding of Circuit and County Courts; to provide a central location for the maintenance of all Circuit and County Court records by the Circuit and County Court Clerk.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Foshee	Lindsey	Register
Carr	Givhan	Lybrand	Vacca
Cook	Harris	McLain	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 955. Relating to Marshall County; for the County Commission of Marshall County to employ a County Engineer, and the manner in which he shall be chosen, to fix and designate the duties, powers, and authority of said County Engineer, and to fix the amount of his bond, provide for the approval of same, and the payment of premiums thereon; to provide for the fixing of a scale of wages and salaries; to designate the County Engineer as the person to make requisition for road supplies and equipment; to provide for the setting aside of road funds by the Commission, and for the banking and expenditure of the same; to provide for emergencies; to grant the Commission power and authority to appropriate and set aside a contingent fund, and the purposes for which said contingent fund may be used; to limit the amount of said fund, provide the manner in which said contingent fund may be appropriated and set aside; to repeal all laws in conflict with this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Foshee	Lindsey	Pierce
Carr	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Noonan	Weaver
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 959. Relating to counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to authorize the governing body to appropriate a sum not to exceed fifteen hundred dollars (\$1500) annually for the use of the County Cattlemen's Association in promoting their programs.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Foshee	Horne
Bailes	Cooper	Givhan	Jones
Branyon	Dozier	Hammond	King
Carr	Edington	Harris	Lindsey

Littleton	Owen	Shelby	Wilder	
McLain	Pelham	Vacca	Wilson	
Malone	Pierce			—25
<i>Nays:</i>				—0

The Bill:

S. 961. Relating to all counties having a population of 57,000 and not more than 61,000, according to the most recent federal decennial census; to provide for the seizure and confiscation of property used in illegal night hunting of deer.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Hammond	Littleton	Register	
Branyon	Harris	McLain	Shelby	
Clark	Hawkins	Malone	Weaver	
Cook	Horne	Noonan	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

*Nays:* —0

The Bill:

S. 960. Relating to all counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to provide for the position of Secretary-Librarian for the circuit judge and district attorney to be quartered in the Courthouse and the compensation therefor.

was taken up.

Mr. Owen offered the following substitute for the Bill, S. B. 960, to-wit:

#### SUBSTITUTE FOR S. B. 960

#### A BILL TO BE ENTITLED AN ACT

Relating to all counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to provide for the position of Secretary-Librarian for the District Attorney to be quartered in the Courthouse and the compensation therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in all counties having a population of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census the position of Secretary-Librarian for the District Attorney, who is to be selected by him. Said position shall be quartered in the Courthouse, and the rate of compensation shall be not less than \$250 per month, and paid out of the county general fund.

Section 2. This Act shall become effective on the first day of the month following its passage and approval by the Governor, or upon its otherwise becoming law.

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pierce	
Carr	Gilmore	Lindsey	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

*Nays:* —0

And said Bill, S. B. 960, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Littleton	Pierce	
Carr	Foshee	Lybrand	Shelby	
Cook	Gilmore	McLain	Vacca	
Cooper	Givhan	Malone	Weaver	
Dominick	Harris	Noonan	Wilson	
Dozier	Horne			—25

*Nays:* —0

The Bill:

S. 962. Relating to Wilcox County; authorizing additional compensation for registrars.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	Malone	Weaver	
Clark	Harris	Noonan	Wilder	
Cooper	Jones	Owen	Wilson	
Dozier	King			—25

*Nays:* —0

The Bill:

S. 970. To provide that the Board of County Commissioners in any county having a population of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, may provide assistance in the maintenance, restoration, care, and protection of ancient cemeteries.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Branyon	Fine	King	Pelham
Carr	Foshee	Lindsey	Register
Cook	Gilmore	Littleton	Shelby
Cooper	Givhan	McLain	Weaver
Dominick	Harris	Noonan	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 971. Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to establish legal names for all county roads, and to set speed limits on county roads, consistent with state policy.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	King	Pierce
Branyon	Fine	Lindsey	Shelby
Carr	Foshee	Littleton	Vacca
Cook	Givhan	McLain	Wilder
Cooper	Harris	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

S. 972. Relating to counties having a population of not less than 175,000 nor more than 300,000; and authorizing the Board of County Commissioners in such counties to designate an official County Historian and appropriate a small honorarium for same.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Branyon	Fine	King	Register
Carr	Foshee	Littleton	Vacca
Cook	Gilmore	McLain	Weaver
Cooper	Hammond	Noonan	Wilder
Dominick	Harris	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 978. To provide further for a governing body for Autauga County to name and designate the chairman and first members of the Autauga County Commission and to provide for the election of their successors; to define the authority, powers and duties of the commission and to prescribe the qualifications, terms and compensation of its members.

was taken up.

Mr. Littleton offered the following amendment to the Bill, S. B. 978, to-wit:

#### AMENDMENT TO S. B. 978

Section 3 of Senate Bill 978 is hereby amended to read as follows, viz:

Section 3. The chairman of said Commission who shall qualify and assume his duties hereunder, immediately upon this act becoming a law, shall be the judge of probate of Autauga County. He shall receive for his services payable out of the county treasury, compensation as heretofore paid. Nothing in this act shall be construed to modify, amend, or repeal any law fixing the compensation and allowance of the judge of probate for the performance of his duties as presiding judge or chairman of the Commission.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Malone	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays:

—0

Mr. Littleton then offered the following amendment to the Bill, S. B. 978, as amended, to-wit:

#### AMENDMENT TO S. B. 978

Section 4 of S. B. 978 shall be amended by inserting the following sentence immediately preceding the last sentence of said Section 4, viz: The chairman of the Autauga County Commission shall receive an additional expense allowance of \$300 per month for expenses incurred for additional duties performed by him such as checking the roads and bridges of the county, additional duties in connection with the county-wide waste disposal program and his additional duties in regard to the program being installed for patching and re-surfacing the hard surface roads of Autauga County, and this additional expense allowance shall become effective on the date this Act becomes law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Pierce	
Clark	Gilmore	McLain	Shelby	
Cook	Givhan	Malone	Weaver	
Cooper	Hammond	O'Bannon	Wilder	
Dozier	Harris			—25

Nays:

—0



And said Bill, S. B. 978, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Fine	Jones	Pelham	
Branyon	Foshee	King	Register	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	Malone	Weaver	
Cook	Hammond	Noonan	Wilder	
Dominick	Hawkins			—25

Nays: —0

The Bill:

S. 981. To amend the title and Section 1 of Act No. 43, S. 125, Regular Session 1961 (Acts 1961, p. 64) which provides for the payment of expenses of the county or deputy solicitors of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Edington	Littleton	Register	
Branyon	Foshee	Lybrand	Shelby	
Carr	Givhan	Noonan	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

S. 982. To amend the title and Section 1 of Act No. 41, S. 123, Regular Session 1961 (Acts 1961, p. 62) which imposes additional duties upon and increases the compensation of the county solicitor of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Branyon	Givhan	Littleton	Pierce	
Clark	Harris	Lybrand	Register	
Cook	Hawkins	McLain	Shelby	
Cooper	Horne	Malone	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays: —0

## The Bill:

S. 983. To amend the title and Section 1 of Act No. 45, S. 127, Regular Session 1961 (Acts 1961, p. 65) which requires the tax collector and tax assessor to act in an advisory capacity to the county board of equalization and to investigate complaints as to assessments and make reports thereon to said board and provides for additional compensation for such officers from the general fund, in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Foshee	Lybrand	Register	
Branyon	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dominick	King			—25

Nays: —0

## The Bill:

S. 984. To amend the title and Section 1 of Act No. 48, S. 130, Regular Session 1961 (Acts 1961, p. 67) which provides further for enforcement of highway traffic control laws and rules of the road by deputy sheriffs in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Foshee	King	Register	
Carr	Givhan	Littleton	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cooper	Harris	McLain	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

## The Bill:

S. 985. To amend the title and Section 1 of Act No. 122, H. 91, Special Session 1965 (Acts 1965, p. 175) as amended by Act No. 46, S. 116, Regular Session 1969 (Acts 1969-70, p. 335), which provides expense allowances for the chairman or presiding judge and members of the governing body of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Branyon	Foshee	Lybrand	Pierce
Carr	Givhan	McLain	Shelby
Clark	Harris	Malone	Vacca
Cooper	Hawkins	O'Bannon	Weaver
Dominick	Jones	Owen	Wilder
Dozier	King		

—25

Nays:

—0

The Bill:

S. 986. To repeal Act No. 64, H. 138, approved June 26, 1963, Regular Session 1963 (Acts 1963, p. 441), entitled, "An Act to provide for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 or any subsequent federal decennial census."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce
Branyon	Givhan	Littleton	Register
Carr	Hammond	Lybrand	Vacca
Cook	Hawkins	McLain	Weaver
Cooper	Horne	Noonan	Wilder
Dominick	Jones	O'Bannon	Wilson
Dozier	King		

—25

Nays:

—0

The Bill:

S. 987. To amend the title and Section 1 of Act No. 121, H. 90, Special Session 1965 (Acts 1965, p. 174) which relates to closing the office of officials in the county courthouse in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Foshee	Lindsey	Register
Carr	Givhan	Littleton	Shelby
Clark	Hammond	Lybrand	Weaver
Cook	Hawkins	McLain	Wilder
Cooper	Horne	Malone	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 988. To repeal Act No. 86, S. 188, approved July 15, 1967, Regular Session 1967 (Acts 1967, p. 418), entitled, "An Act relating to all counties

having populations of not less than 14,875 nor more than 15,200 according to the most recent federal decennial census; imposing further duties on the county solicitor; providing him an additional expense allowance and the manner of its payment."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Hammond	Lybrand	Pierce	
Branyon	Harris	Malone	Register	
Carr	Hawkins	Noonan	Shelby	
Cook	Horne	O'Bannon	Vacca	
Dominick	Jones	Owen	Wilder	
Edington	King			—25

Nays:

—0

The Bill:

S. 989. To amend the title and Section 1 of Act No. 66, S. 224, Regular Session 1967 (Acts 1967, p. 420) which provides clerk hire allowances for certain county officers in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Harris	Malone	Shelby	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 990. To amend the title and Section 1 of Act No. 146, S. 138, Special Session 1961 (Acts 1961, p. 2089) which provides clerical assistants and duties and compensation therefor for sheriffs in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Hammond	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	McLain	Wilder	
Dominick	Horne	Noonan	Wilson	
Dozier	Jones			—25

Nays:

—0

## The Bill:

S. 991. To amend the title and Section 1 of Act No. 506, H. 1106, Regular Session 1965 (Acts 1965, p. 745) which provides expense allowances for certain deputy sheriffs in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Foshee	Lindsey	Pierce
Carr	Givhan	Littleton	Shelby
Clark	Hammond	Lybrand	Vacca
Cooper	Hawkins	McLain	Wilder
Dominick	Horne	Malone	Wilson
Dozier	Jones		

—25

## Nays:

—0

## The Bill:

S. 992. To repeal Act No. 505, H. 1105, approved August 20, 1965, Regular Session 1965 (Acts 1965, P. 745), entitled, "An Act relating to counties having populations of not less than 14,000 nor more than 15,000; providing an expense allowance for the superintendent of education of any such county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Lindsey	Pelham
Bailes	Edington	Littleton	Register
Branyon	Foshee	Lybrand	Vacca
Clark	Givhan	Malone	Weaver
Cook	Harris	O'Bannon	Wilder
Cooper	Hawkins	Owen	Wilson
Dominick	King		

—25

## Nays:

—0

## The Bill:

S. 993. To repeal Act No. 42, S. 124, approved June 12, 1961, Regular Session 1961 (Acts 1961, p. 63), entitled, "An Act to provide for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 preliminary county totals for Alabama, 1960 census of population, or any subsequent federal decennial census."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pierce
Branyon	Harris	McLain	Shelby
Clark	Hawkins	Noonan	Vacca
Cook	Horne	O'Bannon	Weaver
Cooper	Jones	Owen	Wilder
Dozier	King	Pelham	Wilson
Foshee	Lindsey		

—25

Nays:

—0

The Bill:

S. 995. Relating to the Third Judicial Circuit; to provide for an additional expense allowance for the circuit court reporter of the Third Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce
Bailes	Gilmore	McLain	Register
Branyon	Givhan	Malone	Shelby
Clark	Hammond	Noonan	Weaver
Cooper	Harris	O'Bannon	Wilder
Dozier	Horne	Pelham	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

S. 1001. Relating to the office of the Circuit Judge in every Judicial Circuit composed of one County, having but one Circuit Judge with a population of not less than 27,000 nor more than 27,900, authorizing an expense allowance for the Circuit Judge.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Gilmore	Lybrand	Pierce
Carr	Givhan	McLain	Register
Clark	Hammond	Malone	Vacca
Cook	Hawkins	Noonan	Weaver
Dozier	King	Owen	Wilder
Edington	Lindsey		

—25

Nays:

—0

The Bill:

S. 1003. To amend the title and Section 1 of Act No. 1025, S. 890, Regular Session 1969 (Acts 1969, p. 1903), which Act provides further for the compensation, fees, power and duties of the judge and clerk of the Inferior Court of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Pierce	
Branyon	Fine	Lindsey	Register	
Carr	Foshee	Lybrand	Vacca	
Cook	Gilmore	McLain	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dominick	Harris			—25

*Nays:* —0

**The Bill:**

S. 1004. To amend the title and Section 1 of Act No. 317, H. 716, Regular Session 1963, (Acts 1963, p. 796), as amended, which Act provides for the payment of additional expense allowances of members of the county governing body in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Hawkins	Owen	
Bailes	Edington	Horne	Register	
Branyon	Fine	Lindsey	Shelby	
Carr	Foshee	McLain	Weaver	
Clark	Gilmore	Malone	Wilder	
Cooper	Hammond	O'Bannon	Wilson	
Dominick	Harris			—25

*Nays:* —0

**The Bill:**

S. 1005. To amend the title and Section 1 of Act No. 1023, S. 878, Regular Session 1969 (Acts 1969, p. 1902), which Act provides further for the compensation of deputy sheriffs in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Lybrand	Register	
Cook	Gilmore	McLain	Vacca	
Cooper	Hammond	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

*Nays:* —0

## The Bill:

S. 1006. To amend the title and Section 1 of Act No. 1022, S. 877, Regular Session 1969 (Acts 1969, p. 1902), which Act provides further for the issuance of pistol permits in certain counties classified on a population basis.

was taken up.

Mr. Lindsey offered the following substitute for the Bill, S. B. 1006, to-wit:

## SUBSTITUTE FOR S. B. 1006

A BILL  
TO BE ENTITLED  
AN ACT

To amend the title and Section 1 of Act No. 1022, S. 877, Regular Session 1969 (Acts 1969, p. 1902), which Act provides further for the issuance of pistol permits in certain counties classified on a population basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 1022, S. 877, Regular Session 1969 (Acts 1969, p. 1902), is hereby amended to read as follows:

"An Act relating to counties having populations of not less than 16,350 nor more than 16,650, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff or probate judge; to provide for the disposition and use of such fees; and to repeal conflicting laws."

Section 2. Section 1 of said Act No. 1022, S. 877, is hereby amended to read as follows:

"Section 1. In all counties having populations of not less than 16,350 nor more than 16,650, according to the most recent federal decennial census, the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be ten dollars (\$10.00) which shall be collected by the sheriff or probate judge and deposited in the general fund of the county.

Section 3. This Act shall become effective October 1, 1971.

Which was adopted.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Givhan	Lybrand	Shelby
Carr	Hammond	McLain	Vacca
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilson
Dominick	Horne		

—25

## Nays:

—0

And said Bill, S. B. 1006, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Edington	Lindsey	Pierce	
Branyon	Fine	Lybrand	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Malone	Weaver	
Cooper	Hammond	Noonan	Wilson	
Dominick	Harris			—25

Nays: —0

The Bill:

S. 1007. To amend the title and Section 1 of Act No. 168, H. 55, Regular Session 1961 (Acts 1961, p. 212), which Act provides further for the compensation of fire wardens in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Branyon	Edington	Jones	Register	
Carr	Foshee	Lindsey	Shelby	
Clark	Givhan	Lybrand	Weaver	
Cook	Hammond	McLain	Wilder	
Cooper	Harris	Malone	Wilson	
Dominick	Hawkins			—25

Nays: —0

The Bill:

S. 1008. To amend Section 1 of Act No. 140, S. 119, Special Session 1961 (Acts 1961, p. 2082), which Act provided for the closing of the offices in the courthouse on certain days in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Pierce	
Branyon	Fine	Lindsey	Shelby	
Carr	Foshee	Lybrand	Vacca	
Clark	Gilmore	McLain	Weaver	
Cooper	Hammond	Noonan	Wilson	
Dominick	Harris			—25

Nays: —0

The Bill:

H. 826. To repeal Act No. 115, H. 141, Special Session 1967, approved May 5, 1967, entitled "An Act To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the

purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area; applying only to counties having a population of 65,000 to 95,000."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Malone	
Bailes	Edington	Horne	Noonan	
Branyon	Fine	Jones	Pelham	
Carr	Foshee	King	Register	
Clark	Gilmore	Littleton	Shelby	
Cook	Givhan	McLain	Weaver	
Dominick	Harris			—25

Nays:

—0

The Bill:

H. 827. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to provide by local law the manner in which applications for registration to vote in Talladega County shall be made.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Noonan	
Bailes	Fine	Jones	Owen	
Branyon	Foshee	King	Pierce	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	Lybrand	Weaver	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 845. To apply only in counties having populations of not less than 54,500 nor more than 56,000; enabling the County Governing Body to pay dues and expenses to meetings for elected and appointed county officials.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Littleton	Shelby	
Carr	Foshee	Lybrand	Vacca	
Clark	Givhan	McLain	Weaver	
Cook	Harris	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 871. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	O'Bannon	
Branyon	Fine	King	Pierce	
Clark	Foshee	Littleton	Shelby	
Cook	Gilmore	Lybrand	Vacca	
Cooper	Givhan	McLain	Weaver	
Dominick	Harris	Malone	Wilson	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

H. 980. To amend Section 1 of Act No. 47, H. 46, Second Special Session 1956 (Acts 1956, p. 339), (codified at Section 125 (91), Title 13, Code of Alabama 1940, Recompiled 1958) which provides a law enforcement fund for the use of the circuit judge and circuit solicitor of the twenty-fourth judicial circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Clark	Givhan	McLain	Vacca	
Cooper	Hammond	Malone	Weaver	
Dominick	Harris	O'Bannon	Wilder	
Edington	Hawkins	Owen	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

H. 885. To provide for the institution and prosecution of misdemeanor cases for the County Court; to authorize and empower the Clerk of the Circuit Court of Bibb County, Alabama, Ex-Officio clerk of the County Court of Bibb County, Alabama to take oath in support of complaints or affidavits and to issue warrants of arrest thereon in such cases returnable to the County Court of Bibb County; to authorize and empower the said Clerk to receive a plea of guilty by the Defendant in such cases and set, assess or fix the fine on said plea within the limits allowed by law and to provide for the formal minute entry and/or judgment entry to be made by the Judge of the County Court on a subsequent date without the presence of the Defendant.

was taken up.

Mr. Givhan offered the following amendment to the Bill, H. B. 885, to-wit:

## AMENDMENT TO H. 885

In Section 1 strike out the period at the end of such Section and insert in lieu thereof the following:

, and the clerk shall be entitled to a fee of \$1.00 for each warrant issued.

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

*Nays:*

—0

And said Bill, H. B. 885, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Malone	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

*Nays:*

—0

The Bill:

H. 989. To fix the compensation of bailiffs of courts in all counties having populations of not less than 18,500 nor more than 20,500.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Register	
Clark	Givhan	Noonan	Shelby	
Cook	Harris	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	King	Pelham	Wilson	
Fine	Littleton			—25

*Nays:*

—0

The Bill:

H. 920. To amend the title and Section 1 of Act No. 686, H. 1094, approved September 20, 1957 (Acts 1957, p. 1037), as last amended, which further defines the police jurisdiction of certain incorporated municipalities situated in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Noonan
Bailes	Edington	Jones	Owen
Branyon	Fine	King	Register
Carr	Foshee	Littleton	Shelby
Clark	Gilmore	Lybrand	Weaver
Cooper	Givhan	Malone	Wilson
Dominick	Harris		

—25

Nays:

—0

The Bill:

H. 921. To amend further Section 11 of Title 19, Code of Alabama (1940), as last amended, which relates to the appointment of commissioners in condemnation proceedings and requires probate judges to appoint members of the county board of equalization as commissioners in any proceeding in which the county is a party in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Pierce
Branyon	Foshee	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Harris	McLain	Weaver
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 922. To amend the title and Section 1 of Act No. 127, H. 123, Special Session 1969 (Acts 1969, p. 195), which provides expense allowances to certain municipal officers who are directors of public utility boards in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Register
Carr	Givhan	McLain	Vacca
Clark	Hammond	Malone	Weaver
Cooper	Harris	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 923. To amend the title and Section 1 of Act No. 49, H. 79, Special Session 1970 (Acts 1970, p. 2673), which provides for eligibility to hold public office in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Register	
Carr	Givhan	Lybrand	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Harris	O'Bannon	Wilson	
Dominick	Hawkins			—25

*Nays:*

—0

The Bill:

H. 925. To amend the title and Section 1 of Act No. 883, H. 1232, Regular Session 1969 (Acts 1969, p. 1589), which provides clerk hire allowances for the judges of probate and sheriffs of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dominick	Hawkins	Noonan	
Bailes	Edington	Horne	Owen	
Branyon	Fine	King	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Gilmore	McLain	Weaver	
Cook	Givhan	Malone	Wilson	
Cooper	Hammond			—25

*Nays:*

—0

The Bill:

H. 926. To amend the title and Section 1 of Act No. 857, H. 1179, Regular Session 1969 (Acts 1969, p. 1563), which fixes the compensation of jury commissions in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	O'Bannon	
Branyon	Fine	King	Pierce	
Carr	Foshee	Lindsey	Register	
Cook	Givhan	Lybrand	Vacca	
Cooper	Hammond	McLain	Weaver	
Dominick	Harris	Noonan	Wilson	
Dozier	Horne			—25

*Nays:*

—0

The Bill:

H. 927. To amend Section 1 of Act No. 342, H. 809, Regular Session 1969 (Acts 1969, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis;

providing for the taking, catching or killing of raccoons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorized by a rule of the director of conservation; and providing penalties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	O'Bannon	
Branyon	Fine	Lindsey	Owen	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	McLain	Shelby	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

*Nays:* —0

The Bill:

H. 928. To amend the title and Section 1 of Act No. 144, H. 154, Special Session 1969 (Acts 1969, p. 208), which provides an expense allowance for judges of inferior courts in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Horne	O'Bannon	
Branyon	Fine	King	Pelham	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Vacca	
Cooper	Givhan	Malone	Weaver	
Dominick	Hammond	Noonan	Wilson	
Dozier	Hawkins			—25

*Nays:* —0

The Bill:

H. 929. To amend the title and Section 1 of Act No. 624, H. 807, Regular Session 1967 (Acts 1967, p. 1429), which authorizes the county governing body of certain counties classified on a population basis, to provide automobiles or automotive equipment for the use of the sheriff and his deputies in performing their duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Malone	Shelby	
Cooper	Hammond	Noonan	Weaver	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

*Nays:* —0

## The Bill:

H. 930. To amend the title and Section 1 of Act No. 600, H. 657, Regular Session 1967 (Acts 1967, p. 1385), which provides for the assessment of ad valorem taxes on real and personal property, the claiming of statutory exemptions thereon, and penalties for failure to comply, relating to certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Owen
Bailes	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	McLain	Vacca
Cook	Harris	Malone	Weaver
Cooper	Horne	Noonan	Wilson
Dozier	Jones		

—25

## Nays:

—0

## The Bill:

H. 931. To amend the title and Section 1 of Act No. 562, H. 656, Regular Session 1967 (Acts 1967, p. 1316), which provides an additional and alternative method of assessing, paying taxes on, and issuing license tags for motor vehicles in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen
Branyon	Fine	Lindsey	Pierce
Carr	Gilmore	Littleton	Shelby
Cook	Givhan	McLain	Vacca
Cooper	Hammond	Malone	Weaver
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne		

—25

## Nays:

—0

## The Bill:

H. 932. To amend the title and Section 1 of Act No. 40, H. 102, Regular Session 1967 (Acts 1967, p. 368), which sets the salary of the clerks of certain inferior courts in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Pierce
Carr	Foshee	Lindsey	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne		

—25

## Nays:

—0



The Bill:

H. 933. To amend the title and Section 1 of Act No. 39, H. 101, Regular Session 1967 (Acts 1967, p. 367), which provides an expense allowance to be paid out of the general fund for the judges of certain inferior courts in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen
Bailes	Edington	King	Pierce
Carr	Foshee	Littleton	Register
Clark	Gilmore	Lybrand	Vacca
Cook	Givhan	Malone	Weaver
Cooper	Hammond	Noonan	Wilson
Dominick	Hawkins		

—25

Nays:

—0

The Bill:

H. 934. To amend further the title and Section 1 of Act No. 486, H. 944, Regular Session 1957 (Acts 1957, p. 670) as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Fine	King	Pierce
Branyon	Gilmore	Lindsey	Register
Carr	Givhan	Lybrand	Vacca
Cook	Harris	McLain	Weaver
Cooper	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 936. To amend the title and Section 1 of Act No. 227, H. 234, Special Session 1967 (Acts 1967, p. 310), which provides further for the compensation and allowances of the deputies of the sheriff in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Edington	King	Pierce
Carr	Foshee	Lindsey	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Harris	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

**The Bill:**

H. 937. To amend the title and Section 1 of Act No. 199, H. 228, Special Session 1967 (Acts 1967, p. 245), which fixes the compensation of the secretary of the district attorney in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Hammond	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

*Nays:*

—0

**The Bill:**

H. 938. To amend the title and Section 1 of Act No. 44, H. 179, Second Special Session 1965 (Acts 1965, p. 64), which provides additional allowances for the tax collectors of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Horne	Owen	
Branyon	Fine	Lindsey	Pelham	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Shelby	
Cooper	Givhan	Malone	Weaver	
Dominick	Hammond	Noonan	Wilson	
Dozier	Harris			—25

*Nays:*

—0

**The Bill:**

H. 939. To amend the title and Section 1 of Act No. 928, H. 1339, Regular Session 1969 (Acts 1969, p. 1667), which provides compensation for the clerk of the intermediate court and for the secretary of the district attorney in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Horne	O'Bannon	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Register	
Clark	Gilmore	Littleton	Vacca	
Cook	Givhan	Lybrand	Weaver	
Cooper	Hammond	Malone	Wilson	
Dozier	Hawkins			—25

*Nays:*

—0

**The Bill:**

H. 940. To further amend the title and Section 1 of Act No. 227, H. 234, Regular Session 1967 (Acts 1967, p. 310) as last amended, which provides further for the compensation and allowances of the deputies of the sheriffs of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Vacca	
Clark	Hammond	McLain	Weaver	
Cook	Harris	Malone	Wilson	
Dominick	Hawkins			—25

**Nays:**

—0

**The Bill:**

H. 941. To amend the title and Section 1 of Act No. 181, H. 344, Regular Session 1961 (Acts 1961, p. 222), which empowers county governing bodies to pay county employees their regular wage or salary while sick or unable to work but not to exceed ten days per annum in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Owen	
Bailes	Fine	Littleton	Register	
Carr	Foshee	Lybrand	Shelby	
Clark	Gilmore	Malone	Vacca	
Cooper	Givhan	Noonan	Weaver	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

**Nays:**

—0

**The Bill:**

H. 942. To amend the title and Section 1 of Act No. 182, H. 345, Regular Session 1961 (Acts 1961, p. 223), which provides for payment, additional duties, office space, equipment, furniture, supplies, and services of coroners of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Givhan	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

**Nays:**

—0

## The Bill:

H. 943. To amend further the title and Section 1 of Act No. 486, H. 944, approved September 10, 1957 (Acts 1957, p. 670), as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Clark	Givhan	Littleton	Vacca	
Cook	Harris	Lybrand	Weaver	
Cooper	Hawkins	Malone	Wilson	
Dominick	Horne			—25

Nays: —0

## The Bill:

H. 944. To further amend the title and Section 1 of Act No. 463, H. 986, approved September 9, 1955 (Acts 1955, p. 1053), as last amended, which relates to the territorial limits of the police jurisdiction outside the corporate limits of cities in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Hammond	Malone	Weaver	
Cook	Hawkins	Noonan	Wilson	
Cooper	Horne			—25

Nays: —0

## The Bill:

H. 945. To amend the title and Section 1 of Act No. 139, H. 337, Regular Session 1961 (Acts 1961, p. 177), which fixes the time of holding meetings of the county governing bodies of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pierce	
Branyon	Fine	Lindsey	Shelby	
Carr	Gilmore	Littleton	Vacca	
Clark	Givhan	McLain	Weaver	
Cooper	Harris	Noonan	Wilson	
Dominick	Horne			—25

Nays: —0

## The Bill:

H. 946. To amend the title and Section 1 of Act No. 308, H. 566, Regular Session 1965 (Acts 1965, p. 424), which provides an expense allowance for the coroners of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Edington	Lindsey	Pierce	
Branyon	Fine	Lybrand	Shelby	
Clark	Gilmore	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	Noonan	Wilson	
Dominick	Hawkins			—25

## Nays:

—0

## The Bill:

H. 947. To amend the title and Section 1 of Act No. 303, H. 537, Regular Session 1965 (Acts 1965, p. 420), which provides pay raises for deputy sheriffs and other assistants of the sheriffs of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Hawkins	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Littleton	Register	
Carr	Foshee	McLain	Vacca	
Clark	Gilmore	Malone	Weaver	
Cook	Givhan	O'Bannon	Wilson	
Cooper	Harris			—25

## Nays:

—0

## The Bill:

H. 948. To amend the title and Section 1 of Act No. 61, S. 128, Special Session 1964 (Acts 1964, p. 84), which fixes and regulates the payment of the fees of jurors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	King	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Hammond	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

H. 950. To amend the title and Section 1 of Act No. 227, H. 333, Regular Session 1961 (Acts 1961, p. 260), which fixes the compensation of members of the jury commissions of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	O'Bannon
Branyon	Fine	Lindsey	Pelham
Carr	Foshee	Littleton	Register
Cook	Givhan	McLain	Shelby
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne		

—25

## Nays:

—0

## The Bill:

H. 952. To further amend the title and Section 1 of Act No. 461, H. 984, approved September 9, 1955 (Acts 1955, p. 1051), as last amended, which relates to the exemption of purchases of medical, surgical, and hospital supplies from any system of competitive bidding in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	Lindsey	Pelham
Carr	Foshee	Littleton	Register
Clark	Gilmore	McLain	Vacca
Cook	Givhan	Malone	Weaver
Dominick	Hammond	Noonan	Wilson
Dozier	Hawkins		

—25

## Nays:

—0

## The Bill:

H. 954. To amend the title and Section 1 of Act No. 223, H. 325, Regular Session 1961 (Acts 1961, p. 257), which fixes the compensation of the deputies and other assistants to the sheriffs in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	King	Pierce
Carr	Foshee	Lindsey	Register
Clark	Gilmore	Lybrand	Vacca
Cook	Givhan	McLain	Weaver
Dominick	Hammond	Noonan	Wilson
Dozier	Hawkins		

—25

## Nays:

—0

## The Bill:

H. 955. To amend Section 1 of Act No. 375, H. 854, Regular Session 1963 (Acts 1963, p. 876), which authorizes the governing bodies of certain counties classified on a population basis to prescribe the times when county offices may be closed.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	Lindsey	Pelham	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

## Nays:

—0

## The Bill:

H. 956. To amend the title and Section 1 of Act No. 14, H. 64, Special Session 1962 (Acts 1962, p. 22), which fixes the time of holding meetings of the county governing bodies of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	King	Pelham	
Carr	Foshee	Lindsey	Pierce	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Hammond	McLain	Weaver	
Dominick	Harris	Noonan	Wilson	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

H. 957. To amend Section 1 of Act No. 54, S. 15, Special Session 1964 (Acts 1964, p. 71), which relates to courts established in lieu of justice of the peace courts for those precincts lying within or partly within cities having populations of not less than 10,275 nor more than 10,875; to increase the jurisdiction of such courts, and to provide additional compensation to the judges of such courts for the performance of the additional duties resulting from such increased jurisdiction.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	Lindsey	Pelham	
Carr	Gilmore	Lybrand	Register	
Cook	Givhan	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

## Nays:

—0

**The Bill:**

H. 958. To amend the title and Section 1 of Act No. 302, H. 536, Regular Session 1965 (Acts 1965, p. 419), which provides for compensation of the secretary of the circuit solicitor in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Vacca	
Clark	Givhan	Lybrand	Weaver	
Cooper	Hammond	Noonan	Wilson	
Dominick	Hawkins			—25

*Nays:*

—0

**The Bill:**

H. 959. To amend the title and Section 1 of Act No. 304, H. 539, Regular Session 1965 (Acts 1965, p. 420), which provides an expense allowance payable from county school funds for the county superintendent of education of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	Littleton	Pelham	
Carr	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

*Nays:*

—0

**The Bill:**

H. 960. To amend the title and Section 1 of Act No. 134, H. 142, Special Session 1965 (Acts 1965, p. 185), which sets the salary of the stenographic secretary of the judge of the Intermediate Court of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pierce	
Branyon	Gilmore	Littleton	Shelby	
Carr	Hammond	Lybrand	Vacca	
Clark	Harris	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

*Nays:*

—0



## The Bill:

H. 961. To amend the title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts 1965, p. 183), which provides for the appointment and salary of a clerk by the register of the circuit court of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen
Carr	Fine	King	Pelham
Clark	Foshee	Littleton	Pierce
Cook	Gilmore	McLain	Vacca
Cooper	Givhan	Malone	Weaver
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

## Nays:

—0

## The Bill:

H. 962. To amend further Section 463 of Title 51, Code of Alabama 1940, as last amended, which levies license taxes on persons engaged in selling automobiles; levying a special license on auction sales of motor vehicles in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Horne	O'Bannon
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Register
Clark	Gilmore	Littleton	Shelby
Cook	Givhan	McLain	Weaver
Cooper	Hammond	Malone	Wilson
Dozier	Hawkins		

—25

## Nays:

—0

## The Bill:

H. 963. To amend the title and Section 1 of Act No. 135, H. 143, Special Session 1965 (Acts 1965, p. 186), which regulates the compensation of the deputy or assistant circuit clerks of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Horne	O'Bannon
Bailes	Edington	King	Pierce
Branyon	Fine	Littleton	Register
Carr	Gilmore	Lybrand	Vacca
Clark	Givhan	McLain	Weaver
Cook	Hammond	Noonan	Wilson
Cooper	Harris		

—25

## Nays:

—0

**The Bill:**

H. 964. To amend further the title and Section 1 of Act No. 486, H. 944, approved September 10, 1957 (Acts 1957, p. 670), as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Register	
Carr	Gilmore	McLain	Shelby	
Cook	Givhan	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

**Nays:**

—0

**The Bill:**

H. 965. Relating to the City of Uniontown in Perry County: Authorizing the City of Uniontown as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and to residents of the municipal corporation and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidence of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting municipal corporations transacting business pursuant to the act from the jurisdiction and control of the Alabama Public Service Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	King	Owen	
Bailes	Edington	Lindsey	Pierce	
Branyon	Foshee	Littleton	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne			—25

**Nays:**

—0

**The Bill:**

H. 967. To create and establish a Park and Recreation Board for the town of Livingston in Sumter County; to prescribe the composition, powers, and duties of said board, to provide for the necessary appropriations, and to provide for a director and staff for the board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pierce	
Bailes	Edington	Lindsey	Register	
Carr	Gilmore	Lybrand	Vacca	
Clark	Givhan	McLain	Weaver	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 979. Relating to the twenty-fourth judicial circuit; to provide a secretary for the district attorney; to provide for compensation thereof, and to provide for proportional payment by the counties constituting said circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Branyon	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
Fine	Lindsey			—25

Nays:

—0

The Bill:

H. 983. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in the NE¼ of Section 29, Township 17 N, Range 18 E, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	Lindsey	Owen	
Carr	Foshee	Littleton	Pierce	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Noonan	Wilder	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

H. 1019. To apply only in Elmore County; regulating further the possession, sale, storage, transportation, use and consumption of alcoholic beverages in such county; requiring any distributor or seller of malt and brewed beverages and spirituous and vinous liquors, other than

the State Alcoholic Beverage Control Board, to purchase a license before he can engage in such distribution and selling; levying, and authorizing the county governing body to provide for the collection of a county tax on the possession and sale of spirituous, vinous, and malt or brewed beverages; and providing for the distribution of the net proceeds thereof; prescribing penalties; and providing that this Act shall be retroactive and cumulative.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 1019, to-wit:

#### COMMITTEE SUBSTITUTE FOR H. B. 1019

##### A BILL TO BE ENTITLED AN ACT

To apply only in Elmore County; regulating further the possession, sale, storage, transportation, use and consumption of alcoholic beverages in such county; requiring any distributor or seller of malt and brewed beverages and spirituous and vinous liquors, other than the State Alcoholic Beverage Control Board, to purchase a license before he can engage in such distribution and selling; levying, and authorizing the county governing body to provide for the collection of a county tax on the possession for sale or the sale of spirituous, vinous, and malt or brewed beverages; and providing for the distribution of the net proceeds thereof; prescribing penalties; and providing that this Act shall be retroactive and cumulative.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Elmore County. It shall not have the effect of legalizing the sale, distribution, delivery, storage, taking out of storage, or possession in said county of any alcoholic beverages now or hereafter prohibited by law. Nor shall it have the effect of repealing or altering in any wise any statute now in effect. It shall be in addition to and cumulative of all laws now in effect. Except as hereinafter provided the provisions of Code of Alabama 1940, Title 29, Chapters 1 and 2 (Section 1-91), as heretofore amended and supplemented, shall apply to Elmore County to the same extent and with the same force and effect that such laws apply to other counties.

For the purposes of this Act all words and phrases herein used, which are defined in said Chapters 1 and 2 of Title 29, Code of Alabama 1940, shall have the same meanings there ascribed to them.

Section 2. (a) It shall be unlawful for any person, firm or corporation, including any State Alcoholic Beverage Control Board store, to sell or offer for sale any spirituous, vinous, or malt or brewed beverages in Elmore County:

- (1) Unless the tax hereinafter levied thereon has been paid;
- (2) To a minor; or
- (3) Between the hours of midnight on Saturdays and midnight on Sundays.

(b) It shall be unlawful for any person to purchase, or attempt to purchase any spirituous, vinous or malt or brewed beverages in Elmore County unless the tax herein levied thereon has been paid. This

subsection shall not, however, apply to the Alabama Alcoholic Beverage Control Board or its agents.

Section 3. It shall be unlawful for any wholesale or retail distributor or seller of malt or brewed beverages to make any sale, distribution or delivery of malt or brewed beverages within the county without first having obtained a license from the probate judge. The charges for a license for the distribution or sale at wholesale of malt or brewed beverages shall be seventy-five dollars. The charge for a license to distribute or sell such beverages at retail shall be twenty-five dollars.

It shall also be unlawful for any person, firm or corporation, other than the State Alcoholic Beverage Control Board, to sell at retail in Elmore County any spirituous or vinous liquors without first obtaining as special license from the probate judge which license shall be in addition to all other licenses required by law. The cost of the special license shall be twenty-five dollars.

Licenses required by this section shall expire on September 30th following purchase. All proceeds from such licenses less the cost of issuance shall be placed in the general fund of the county.

Section 4. In addition to all other taxes heretofore or hereafter levied on the possession for sale or the sale of alcoholic beverages in Alabama, a tax is hereby levied on the possession for sale or the sale in Elmore County of spirituous, vinous, and malt or brewed beverages in the following amounts:

On each bottle or other container of spirituous or vinous liquor sold at retail other than at a State Alcoholic Beverage Control Board store, ten percent of the purchase price thereof.

On malt or brewed beverages, a sum and amount equal to four cents on each twelve fluid ounces or fractional part thereof.

Section 5. The tax hereby levied shall be paid by and through the purchase of stamps or decals or such other device for evidencing the payment thereof as is prescribed by the governing body of Elmore County. The governing body of Elmore County is hereby authorized and directed to prescribe the method of evidencing the payment of the tax and to have prepared and to purchase such stamps, decals, or other devices needed or convenient for the enforcement and collection of the tax hereby levied. Such governing body shall provide for the issuance by the judge of probate of Elmore County of such stamps, decals or other devices for use on containers of malt or brewed beverages, and shall provide for the payment of a reasonable compensation to the judge of probate for issuing such stamps, decals or other devices. The amount of such compensation shall be fixed by agreement between the judge of probate and the county governing body. Such governing body shall also adopt rules and regulations reasonably needed to facilitate the enforcement and collection of the tax.

The county governing body of Elmore County shall also provide rules, regulations and administrative machinery for the enforcement and collection of the tax levied by this Act on malt or brewed beverages, and may also provide reasonable compensation to sellers and distributors of malt and brewed beverages for affixing stamps, decals or other devices evidencing payment of the tax and collecting such tax from purchasers.

Section 6. The proceeds of the tax hereby levied on spirituous and vinous liquor less the commissions above mentioned and all other costs of collecting and remitting the tax shall be distributed monthly in the following manner: Fifty percent of such proceeds of a tax on

purchases within the corporate limits of a municipality within Elmore County shall be paid to the governing body of said municipality and fifty percent shall be paid to the county board of education. If the purchase is made outside the corporate limits, then all of the proceeds of the tax shall be paid to the county board of education.

Section 7. The proceeds of the tax hereby levied on malt or brewed beverages less the commissions above mentioned and all other costs of collecting and remitting the tax shall be distributed monthly as follows: Of the proceeds collected on sales outside the corporate limits and police jurisdiction of the municipalities of the county, fifty percent shall be paid to the Elmore County Board of Education and fifty percent to the Elmore County general fund; of the proceeds collected within the police jurisdiction of a municipality of the county but outside the corporate limits of such municipality, fifty percent shall be paid to the Elmore County Board of Education, twenty-five percent to the Elmore County General Fund, and twenty-five percent to the municipality having the police jurisdiction; of the revenue collected inside the corporate limits of any municipality, fifty percent shall be paid to the Elmore County Board of Education and fifty percent to the municipality in which such revenue is collected.

Section 8. All alcoholic beverages taxable under this Act found at any point within Elmore County, except such beverages as are in the possession of an Alabama Alcoholic Beverage Control Board store, not having affixed thereto stamps, decals, or other devices evidencing the payment of the tax hereby levied are declared to be contraband goods, and may be seized without a warrant by any beverage tax collector appointed pursuant to Section 5 of this Act, or by any peace officer of Elmore County, or policeman or other authorized person of a municipality within the police jurisdiction of said municipality. Such goods shall be delivered to the Alabama Alcoholic Beverage Control Board and sold in the manner prescribed by law for selling alcoholic beverages which are confiscated pursuant to Code of Alabama 1940, Title 29, because stamps, crowns or lids evidencing the payment of state taxes thereon have not been affixed.

Section 9. Whoever manufactures, buys, sells, offers for sale, or has in his possession any reproduction or counterfeit of the stamp, decal or other device adopted by the governing body of Elmore County to evidence payment of the tax hereby levied, is guilty of a felony, and, upon conviction, shall be punished by imprisonment in the penitentiary for not less than a year and a day nor more than ten years, and in addition, may be fined not less than two thousand dollars nor more than ten thousand dollars.

Section 10. Whoever removes or otherwise prepares any stamps, decals, or other devices for evidencing the payment of the tax hereby levied, after they have been once used to evidence the payment of such tax, with intent to re-use the same, and any person who re-uses or buys, sells, offers for sale or gives away any such washed, restored or removed stamps, decals, or other devices for the purpose of paying the tax hereby levied is guilty of a felony, and, upon conviction, shall be punished by imprisonment in the penitentiary for not less than a year and a day, nor more than five years, and in addition may be fined not less than one thousand dollars nor more than five thousand dollars.

Whoever alters any stamp, decal or other device for evidencing the payment of the tax hereby levied to indicate the payment of a different amount from that originally appearing thereon or whoever sells or offers for sale or buys any such stamp, decal or other device for evidencing the payment of the tax hereby levied to indicate the payment of a different amount from that originally appearing thereon

or whoever sells or offers for sale or buys or offers to buy any such stamp, decal or other device, otherwise than as authorized pursuant to this Act, shall likewise be guilty of a felony and punished as prescribed above.

Whoever violates a provision of this Act for which no specific punishment is prescribed shall be guilty of a misdemeanor and may be punished therefor as prescribed by law; and whoever violates Section 2, subsection (a), items (2) or (3) shall in addition to the regular punishment prescribed by law for a misdemeanor also be fined not less than five hundred dollars nor more than one thousand dollars or sentenced to imprisonment in the county jail or hard labor for the county for not less than thirty days nor more than six months, either or both.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. The operation of this Act shall be retroactive to May 5, 1970 and all taxes paid pursuant thereto are ratified and confirmed.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Noonan	Wilder	
Cooper	Harris			—25

Nays: —0

And said Bill, H. B. 1019, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Owen	
Carr	Foshee	Littleton	Pierce	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Vacca	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 1033. Relating to municipalities having a population of not less than 70,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; providing for the election by popular vote of members of the city board of education, to prescribe their terms, qualifications and compensation, and to abolish existing boards of education in such cities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham
Bailes	Edington	Littleton	Pierce
Branyon	Gilmore	McLain	Shelby
Carr	Givhan	Noonan	Vacca
Clark	Harris	O'Bannon	Weaver
Cook	Hawkins	Owen	Wilder
Cooper	Horne		

—25

Nays:

—0

The Bill:

H. 1036. To amend Act No. 401, page 568 of the Acts of Alabama 1957 Regular Session by deleting therefrom the words "and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank" as said words appear in Section 1 of said Act No. 401 following the word "election" and preceding the word "and".

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pierce
Bailes	Gilmore	Lybrand	Shelby
Branyon	Givhan	Malone	Vacca
Carr	Harris	Noonan	Weaver
Clark	Hawkins	O'Bannon	Wilder
Cooper	Jones	Owen	Wilson
Dozier	Lindsey		

—25

Nays:

—0

The Bill:

H. 1037. To amend the title and Section 1 of Act No. 430, H. 696, Regular Session 1963 (Acts 1963, p. 954), which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Branyon	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Register
Cook	Harris	McLain	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	Owen	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 1038. To amend the title and Section 1 of Act No. 345, H. 981, Regular Session 1963 (Acts 1963, p. 838), which authorizes, provides for the licensing of and regulates the operation of, and hunting on



privately owned hunting preserves stocked with artificially propagated upland birds in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Shelby	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1044. Applying to Talladega County, authorizing applications for registration to vote to be made before the judge of probate or his employees, providing that such applicants need not appear in person before the board of registrars or any member thereof, and granting full rule-making power to the board of registrars to carry out the purposes of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Foshee	Lindsey	Pelham	
Clark	Gilmore	Lybrand	Pierce	
Cook	Givhan	McLain	Shelby	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1046. Relating to Talladega County, to provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	Lindsey	Pelham	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Shelby	
Cooper	Givhan	Malone	Weaver	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Hawkins			—25

Nays: —0

The Bill:

H. 1069. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the most recent federal decen-

nial census; to provide further for expense allowances for the judge of the Intermediate Court in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Pierce	
Carr	Foshee	Lindsey	Register	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	McLain	Weaver	
Cooper	Harris	Malone	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1091. Relating to Tuscaloosa County; to regulate the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students, apprentices, Journey-men and Hairstylist; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Carr	Fine	King	Pelham	
Clark	Gilmore	Lindsey	Pierce	
Cook	Givhan	Littleton	Shelby	
Cooper	Harris	Lybrand	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1092. Relating to counties having populations of not less than 10,660 nor more than 10,900; to levy and provide for the collection of an annual license or privilege tax on wholesale distributors or jobbers of malt or brewed beverages within such counties; and to prescribe penalties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Register	
Branyon	Foshee	King	Shelby	
Clark	Givhan	Littleton	Weaver	
Cook	Hammond	McLain	Wilder	
Cooper	Harris	Malone	Wilson	
Dominick	Hawkins			—25

Nays:

—0

The Bill:

H. 1093. Relating to counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census; to authorize the county commission or other like governing body, in such counties to make an annual appropriation out of the county public highway and traffic fund to the tax assessor, to the tax collector and to the probate judge for clerk hire allowances to be used for the compensating of clerks for duties relative to the assessment and collection of taxes on motor vehicles or the issuance of motor vehicle license tags.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Foshee	King	Pierce
Branyon	Givhan	Littleton	Register
Clark	Hammond	McLain	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1300. To repeal Act No. 700, H. 972, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1525) entitled, "An Act to provide additional and alternate methods of annexation of certain territory to municipalities in counties in the State of Alabama having a population of not less than ninety-six thousand (96,000) nor more than one hundred six thousand (106,000) inhabitants according to the last or any subsequent Federal Census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Pierce
Bailes	Fine	King	Register
Branyon	Foshee	Littleton	Vacca
Clark	Gilmore	Lybrand	Weaver
Cook	Hammond	Malone	Wilder
Cooper	Harris	O'Bannon	Wilson
Dominick	Hawkins		

—25

Nays:

—0

The Bill:

H. 1301. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; providing for payment of expense allowances of constables serving the county court in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	O'Bannon
Bailes	Gilmore	King	Pierce
Carr	Givhan	Lindsey	Register
Clark	Hammond	Littleton	Vacca
Cook	Harris	Lybrand	Weaver
Dominick	Hawkins	Malone	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1302. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and compensation of such deputy constable.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Hawkins	Owen
Bailes	Edington	King	Pelham
Branyon	Fine	Lindsey	Register
Carr	Foshee	Lybrand	Shelby
Clark	Gilmore	Malone	Weaver
Cook	Givhan	O'Bannon	Wilder
Cooper	Harris		

—25

Nays:

—0

The Bill:

H. 1303. To repeal Act No. 490, H. 1042, approved August 20, 1965, Regular Session 1965 (Acts 1965, p. 710) entitled, "An Act to amend further Section 1 of Act No. 158, H. 399, Regular Session 1961 (Acts 1961, p. 206), which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to regulate further the payment of an expense allowance to the coroner in any such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Malone
Bailes	Fine	Jones	O'Bannon
Branyon	Foshee	King	Pelham
Carr	Givhan	Lindsey	Shelby
Cook	Hammond	Littleton	Vacca
Cooper	Harris	Lybrand	Wilder
Dozier	Hawkins		

—25

Nays:

—0

The Bill:

H. 1304. To repeal Act No. 633, H. 1041, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1155) entitled, "An Act relating to

counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; to provide an expense allowance for the judge of probate of any such county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Hammond	O'Bannon	Wilson	
Dozier	Hawkins			—25

Nays: —0

The Bill:

H. 1305. To repeal Act No. 701, H. 900, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1303) entitled, "An Act to amend Section 7 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, V. 1, p. 429) in relation to the compensation of the chairman and members of the board of revenue, court of county commissioners, or other like governing body of any county having a population of not less than 96,000 nor more than 106,000."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Pelham	
Branyon	Gilmore	Lindsey	Register	
Carr	Givhan	Littleton	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	Malone	Wilder	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1306. To repeal Act No. 713, H. 1215, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1318) entitled, "An Act relating to counties having populations of not less than 96,000 nor more than 106,000; providing for the payment of an expense allowance to the judge of the county court in any such county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Pierce	
Branyon	Gilmore	Lindsey	Register	
Carr	Givhan	Littleton	Vacca	
Clark	Harris	Lybrand	Weaver	
Cooper	Hawkins	Malone	Wilson	
Dominick	Horne			—25

Nays: —0

**The Bill:**

H. 1307. To repeal Act No. 72, H. 209, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 95) entitled, "An Act relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; further regulating the compensation and allowances of certain county officers."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Pelham
Branyon	Foshee	Lindsey	Register
Carr	Givhan	Littleton	Vacca
Cook	Hammond	Lybrand	Weaver
Cooper	Harris	Malone	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

**Nays:**

—0

**The Bill:**

H. 1308. To repeal Act No. 413, H. 421, approved, September 12, 1966 Special Session 1966 (Acts 1966, p. 559), as last amended, entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and salaries of such deputy constable."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	O'Bannon
Bailes	Foshee	King	Pierce
Branyon	Givhan	Lindsey	Shelby
Clark	Hammond	Littleton	Vacca
Cook	Harris	Lybrand	Wilder
Cooper	Hawkins	Malone	Wilson
Dominick	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1309. To repeal Act No. 176, H. 255, approved August 23, 1966, Special Session 1966 (Acts 1966, p. 208), as last amended, entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; to regulate further the compensation and allowances payable from the county treasuries of all such counties to certain public officers and their deputies, to fix the amount of the total salaries of certain county officers and deputies of such counties; to fix the amount of the supplemental salary payable by these counties to certain public officers, who are paid in part from the State treasury; to provide temporary allowances to certain officers; to prescribe different times for the several provisions of this Act to become effective; and to prescribe when certain parts of this Act shall expire and be repealed."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Vacca	
Cooper	Hammond	Malone	Weaver	
Dominick	Harris	O'Bannon	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1310. To repeal Act No. 104, H. 200, approved July 31, 1967, Regular Session 1967 (Acts 1967, p. 444) entitled, "An Act to apply only in counties having populations of not less than 96,000 nor more than 106,000, providing an additional expense allowance for the registers of circuit courts of such counties, payable from the general funds of the county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Hammond	O'Bannon	Wilder	
Dozier	Harris			—25

Nays:

—0

The Bill:

H. 1311. To repeal Act No. 80, S. 7, approved June 29, 1967, Regular Session 1967 (Acts 1967, p. 412), entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

**The Bill:**

H. 1312. To amend the title and Section 1 of Act No. 561, H. 396, Regular Session 1961 (Acts 1961, p. 660), which provides further for the operation of the county board of equalization, regulates the term of service, compensation, and expense allowance of the members of said board; further provides for office space, office fixtures, and supplies for said board, and for employment of a secretary-appraiser by said board and other employees of said board in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Gilmore	Lybrand	Vacca	
Cook	Hammond	Malone	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

**Nays:** —0

**The Bill:**

H. 1313. To amend the title and Section 1 of Act No. 161, H. 407, Regular Session 1961 (Acts 1961, p. 208), which authorizes the governing body to provide paper ballots and ballot boxes as well as voting machines at voting places where voting machines are used in certain elections, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Pelham	
Branyon	Fine	Lindsey	Register	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Harris	Malone	Wilder	
Dominick	Hawkins			—25

**Nays:** —0

**The Bill:**

H. 1314. To amend the title and Section 1 of Act No. 165, H. 411, Regular Session 1961 (Acts 1961, p. 210), which relates to the issue and returns of executions in justice of the peace courts and other courts of like jurisdiction in certain counties classified on a population basis.

Was read a third time at length and passed.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Branyon	Fine	King	Pelham	
Carr	Foshee	Lindsey	Shelby	
Clark	Givhan	Littleton	Weaver	
Cook	Harris	Lybrand	Wilder	
Dominick	Hawkins	Malone	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1315. To amend the title and Section 1 of Act No. 195, H. 394, Regular Session 1961 (Acts 1961, p. 233), which provides an assistant coroner for certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Gilmore	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1316. To amend the title and Section 1 of Act No. 186, H. 384, Regular Session 1961 (Acts 1961, p. 228), which provides for the furnishing of equipment, supplies, clerks, deputies, and other assistants for certain officials in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Edington	Jones			—25

Nays: —0

The Bill:

H. 1317. To amend the title and Section 1 of Act No. 187, H. 385, Regular Session 1961 (Acts 1961, p. 229), which authorizes the purchase by the county governing body of uniforms for the use of uniformed employees of the sheriff in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Lybrand	Shelby	
Clark	Gilmore	Malone	Weaver	
Cook	Givhan	O'Bannon	Wilder	
Cooper	Harris	Owen	Wilson	
Dozier	Hawkins			—25

Nays: —0

The Bill:

H. 1318. To amend the title and Section 1 of Act No. 189, H. 388, Regular Session 1961 (Acts 1961, p. 230), which provides for a chief clerk and assistant chief clerk in the circuit court and a chief clerk in the county court of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1319. To amend the title and Section 2 of Act No. 202, H. 398, Regular Session 1961 (Acts 1961, p. 236), which relieves certain county officials of the duty of visiting voting places and precincts in the performance of their official duties in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Pierce	
Carr	Fine	King	Register	
Clark	Gilmore	Littleton	Vacca	
Cook	Givhan	Lybrand	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 1320. To amend the title and Section 1 of Act No. 46, H. 260, Regular Session 1965 (Acts 1965, p. 64), which prohibits the taxation and collection of certain fees and costs in misdemeanor cases for violations of the game and fish laws in the county courts of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Clark	Givhan	Littleton	Shelby	
Cook	Hammond	Lybrand	Vacca	
Cooper	Harris	Malone	Wilder	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1321. To amend the title and Section 1 of Act No. 878, S. 594, Regular Session 1965 (Acts 1965, p. 1645), which provides further for the selection of textbooks and instructional materials in the public schools of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Carr	Foshee	Lindsey	Pelham	
Clark	Gilmore	Littleton	Register	
Cook	Givhan	Lybrand	Shelby	
Dominick	Harris	Malone	Weaver	
Dozier	Hawkins	O'Bannon	Wilder	
Edington	Jones			—25

Nays: —0

The Bill:

H. 1322. To amend the title and Sections 1 and 4 of Act No. 809, H. 1273, Regular Session 1965 (Acts 1965, p. 1511), which provides an administrative consultant to the circuit clerk and to prescribe qualifications, duties, compensation and terms thereof, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Register	
Carr	Gilmore	Littleton	Shelby	
Cook	Givhan	Lybrand	Vacca	
Cooper	Harris	Malone	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1323. To amend the title and Section 1 of Act No. 397, H. 922, Regular Session 1965 (Acts 1965, p. 574), which confers upon solicitors

the power to take oaths in support of complaints and to issue warrants in all criminal and breach of peace cases in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Horne	Owen	
Bailes	Edington	King	Pierce	
Branyon	Fine	Littleton	Shelby	
Carr	Foshee	Lybrand	Vacca	
Clark	Gilmore	Malone	Weaver	
Cook	Givhan	O'Bannon	Wilson	
Cooper	Hawkins			—25

Nays: —0

The Bill:

H. 1324. To amend the title and Section 1 of Act No. 73, H. 65, Special Session 1966 (Acts 1966, p. 102), which regulates further the county court of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pierce	
Bailes	Foshee	Littleton	Shelby	
Branyon	Givhan	Lybrand	Vacca	
Carr	Hammond	Malone	Weaver	
Cook	Harris	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1325. To amend the title and Section 1 of Act No. 39, S. 23, Special Session 1966 (Acts 1966, p. 62), which authorizes the Clerk of the County Court to appoint two of his assistants to be assistant Chief Clerks of the Criminal and Civil Divisions, respectively, of said court, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Hammond	Lybrand	Shelby	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1326. To amend the title and Section 1 of Act No. 464, H. 528, Regular Session 1967 (Acts 1967, p. 1155), which provides for the fixing, disposition, and use of fees collected for the issuance of pistol permits in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Carr	Fine	King	Register	
Clark	Givhan	Littleton	Shelby	
Cook	Hammond	Lybrand	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1327. To amend the title and Section 1 of Act No. 1184, H. 1357, Regular Session 1969 (Acts 1969, p. 2213), which provides an additional supplementary salary for the circuit court reporters of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	King	Pelham	
Carr	Foshee	Littleton	Pierce	
Clark	Gilmore	Lybrand	Shelby	
Cook	Givhan	Malone	Vacca	
Dominick	Harris	O'Bannon	Wilder	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

H. 1328. To amend the title and Section 1 of Act No. 619, H. 782, Regular Session 1967 (Acts 1967, p. 1423), as last amended, which provides for the distribution of a portion of the State Gasoline Excise Tax among municipalities in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Shelby	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Hammond	O'Bannon	Wilson	
Dozier	Hawkins			—25

Nays:

—0

**The Bill:**

H. 1329. To amend the title and Sections 1, 2, and 3 of Act No. 538, S. 589, Regular Session 1967 (Acts 1967, p. 1287), which provides additional and alternate methods of annexation of certain municipalities in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Hawkins	Owen	
Bailes	Edington	King	Pierce	
Branyon	Fine	Lindsey	Register	
Carr	Foshee	Lybrand	Vacca	
Cook	Gilmore	Malone	Weaver	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Harris			—25

**Nays:**

—0

**The Bill:**

H. 1330. Relating to counties having a population of not less than 90,000 nor more than 100,000; fixing the compensation of certain officers in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Pelham	
Bailes	Gilmore	Lindsey	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

**Nays:**

—0

**The Bill:**

H. 1331. To amend the title and Section 1 of Act No. 206, H. 401, Regular Session 1961 (Acts 1961, p. 238), which prohibits probate judges from charging any fee for administering an oath or taking or acknowledging an affidavit, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Register	
Carr	Foshee	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cooper	Hammond	Malone	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

**Nays:**

—0

The Bill:

H. 1332. To amend the title and Section 1 of Act No. 200, H. 417, Regular Session 1961 (Acts 1961, p. 235), which regulates further the purchasing practices of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	King	Pelham	
Clark	Gilmore	Littleton	Register	
Cook	Givhan	Lybrand	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1333. To amend the title and Section 1 of Act No. 208, H. 403, Regular Session 1961 (Acts 1961, p. 239), which provides for appointment, compensation, duties, and authority of deputy circuit solicitors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pierce	
Carr	Gilmore	Littleton	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	Malone	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1334. To amend the title and Section 1 of Act No. 589, H. 1039, Regular Session 1961 (Acts 1961, p. 697), which provides that witness certificates obtained as a state's witness before certain judicial bodies and proceedings shall be paid immediately upon presentation for payment, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Carr	Foshee	Littleton	Shelby	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	Malone	Weaver	
Dominick	Hammond	O'Bannon	Wilder	
Dozier	Horne			—25

Nays: —0

## The Bill:

H. 1335. To amend the title and Section 1 of Act No. 379, H. 793, Regular Session 1961 (Acts 1961, p. 393), which provides for, authorizes, and describes the type of hospital records which may be introduced as evidence in the courts of certain counties classified on a population basis; further provides procedures for proper introduction thereof and provides for the taxing of costs in connection therewith.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Edington	King	Pierce	
Branyon	Foshee	Lindsey	Shelby	
Carr	Givhan	Lybrand	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Harris	O'Bannon	Wilson	
Cooper	Hawkins			—25

## Nays:

—0

## The Bill:

H. 1336. Relating to meetings and compensation of members of boards of education in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Gilmore	Lindsey	Pelham	
Carr	Hammond	Littleton	Register	
Clark	Harris	Lybrand	Shelby	
Cook	Hawkins	Malone	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones			—25

## Nays:

—0

## The Bill:

H. 1337. To amend the title and Section 1 of Act No. 138, H. 139, Special Session 1969 (Acts 1969, p. 204), which provides for the Constable of the County Courts to serve as bailiff and provides compensation therefor, certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	King	Pierce	
Carr	Foshee	Lindsey	Shelby	
Cook	Givhan	Lybrand	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

## Nays:

—0



The Bill:

H. 1338. To amend the title and Sections 1 and 2 of Act No. 377, H. 791, Regular Session 1961 (Acts 1961, p. 392), which allows the county commission of certain counties classified on a population basis to fix and set aside by resolution certain days of the week for the closing of offices in said county court house.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Foshee	King	Pierce
Branyon	Gilmore	Lindsey	Shelby
Clark	Hammond	Lybrand	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	O'Bannon	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1339. To amend the title and Section 1 of Act No. 70, H. 103, Special Session 1962 (Acts 1962, p. 94), which provides for the distribution and use of revenue received from the property tax levied pursuant to Amendment CCII of the Alabama Constitution of 1901, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Edington	King	Pierce
Branyon	Fine	Lindsey	Shelby
Carr	Gilmore	Littleton	Vacca
Cook	Givhan	Lybrand	Wilder
Cooper	Hammond	Malone	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1340. To amend the title and Section 1 of Act No. 24, H. 18, Special Session 1962 (Acts 1962, p. 34), which provides for feeding of prisoners in jail, retroactivity of this Act, and validates certain allowances which may have heretofore been made for the feeding of such prisoners, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen
Bailes	Edington	Jones	Pelham
Carr	Fine	Lindsey	Pierce
Clark	Gilmore	Lybrand	Shelby
Cook	Givhan	Malone	Vacca
Cooper	Harris	O'Bannon	Weaver
Dominick	Hawkins		

—25

Nays:

—0

**The Bill:**

H. 1341. To amend the title and Section 1 of Act No. 286, S. 286, Regular Session 1963 (Acts 1963, p. 731), which provides for certain teachers in the public schools who are over age seventy to be continued in service, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Edington	King	Pelham
Branyon	Fine	Lindsey	Pierce
Carr	Gilmore	Littleton	Vacca
Clark	Hammond	Lybrand	Weaver
Cooper	Harris	Malone	Wilson
Dominick	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1342. To amend the title and Section 1 of Act No. 178, H. 205, Special Session 1964, (Acts 1964, p. 245), which regulates further the compensation and allowance of the sheriff in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	Horne	O'Bannon
Bailes	Edington	Jones	Pelham
Branyon	Fine	King	Shelby
Carr	Givhan	Lindsey	Vacca
Clark	Hammond	Lybrand	Wilder
Cooper	Harris	Malone	Wilson
Dominick	Hawkins		

—25

**Nays:**

—0

**The Bill:**

H. 1343. To amend the title and Section 1 of Act No. 213, H. 31, Special Session 1964 (Acts 1964, p. 287), which restores or reconfers on certain justices of the peace and notaries public ex officio justices of the peace, certain jurisdiction withdrawn from them by local acts, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	Lindsey	Register
Branyon	Foshee	Lybrand	Shelby
Carr	Gilmore	Malone	Vacca
Clark	Harris	O'Bannon	Weaver
Cooper	Hawkins	Owen	Wilson
Dominick	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1349. To repeal Act No. 406, H. 987, approved August 30, 1963, Regular Session 1963 (Acts 1963, p. 906), entitled, "An Act prescribing sheriffs' allowances for transporting juvenile delinquents to places of confinement."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Lindsey	Pierce	
Branyon	Fine	Lybrand	Shelby	
Clark	Foshee	McLain	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

**Nays:** —0

**The Bill:**

H. 1350. To amend the title and Section 1 of Act No. 485, H. 946, Regular Session 1965 (Acts 1965, p. 698), which regulates further the compensation of clerical assistants of certain officers of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Hammond	Noonan	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	King			—25

**Nays:** —0

**The Bill:**

H. 1351. To amend the title and Sections 1 and 2 of Act No. 964, S. 322, Regular Session 1961 (Acts 1961, p. 1571), which regulates the compensation of members of the county board of education of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Littleton	Pelham	
Bailes	Foshee	McLain	Shelby	
Carr	Gilmore	Malone	Vacca	
Clark	Hammond	Noonan	Weaver	
Cook	Harris	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dominick	King			—25

**Nays:** —0

**The Bill:**

H. 1353. To amend the title and Section 1 of Act No. 365, S. 372, Regular Session 1965 (Acts 1965, p. 500), which allows the governing body of certain counties classified on a population basis to authorize the tax collector to send notices and receipts of taxes due and paid to tax payers and provide that expenses therefor shall be paid from the county general fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Lindsey	Owen	
Bailes	Fine	Lybrand	Pelham	
Branyon	Foshee	McLain	Register	
Carr	Gilmore	Malone	Shelby	
Clark	Hammond	Noonan	Wilder	
Cook	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

*Nays:* —0

**The Bill:**

H. 1376. Relating to the compensation of tax assessors and tax collectors in counties having population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Pierce	
Branyon	Givhan	Lindsey	Shelby	
Carr	Hammond	Littleton	Vacca	
Clark	Harris	Lybrand	Wilder	
Dominick	Hawkins	Malone	Wilson	
Dozier	Horne			—25

*Nays:* —0

**The Bill:**

H. 1421. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Horne	Pelham	
Bailes	Edington	Littleton	Pierce	
Branyon	Fine	McLain	Register	
Carr	Foshee	Malone	Shelby	
Clark	Gilmore	O'Bannon	Weaver	
Cook	Givhan	Owen	Wilder	
Dominick	Harris			—25

*Nays:* —0

**The Bill:**

H. 1422. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Carr	Gilmore	Littleton	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne			—25

**Nays:** —0

**The Bill:**

H. 1426. Regulating the compensation and allowances of members of the St. Clair County board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Register	
Carr	Gilmore	Littleton	Shelby	
Cook	Givhan	Lybrand	Weaver	
Cooper	Hawkins	McLain	Wilder	
Dozier	Horne	Noonan	Wilson	
Edington	Jones			—25

**Nays:** —0

**The Bill:**

H. 1427. To amend the title of Act No. 47, H. 57, p. 2671, Acts of Alabama 1970 Special Session, so as to change the population classification figures in said act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen	
Bailes	Foshee	King	Pelham	
Carr	Givhan	Littleton	Pierce	
Cook	Hammond	Lybrand	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

**Nays:** —0

## The Bill:

H. 1428. To repeal Act No. 335, H. 843, approved August 10, 1965, entitled, "An Act to apply only in counties having populations of not less than 24,800 nor more than 25,400; regulating the compensation and allowances of members of the county board of education." (Acts of Alabama, 1965, p. 464).

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

## Nays:

—0

## The Bill:

H. 1481. To amend section XIII of Act No. 822, Acts of Alabama 1969, Regular Session, relating to Cherokee County gasoline tax so as to authorize the state department of revenue to collect such tax for Cherokee County; to require such tax collected to be deposited with the state treasurer; and to require the state treasurer to remit such tax to the governing body of Cherokee County less the costs of collection not to exceed five (5) percent.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	Pelham	
Bailes	Edington	Lindsey	Pierce	
Branyon	Fine	Lybrand	Shelby	
Carr	Foshee	McLain	Vacca	
Cook	Gilmore	Malone	Weaver	
Cooper	Hammond	O'Bannon	Wilson	
Dominick	Hawkins			—25

## Nays:

—0

## The Bill:

H. 1482. To amend Act No. 505, Acts of Alabama 1963, Vol. 2, page 1087, which establishes and provides for the operation of the Cherokee County Court, amending sections 4 and 10 of such act, so as to provide for only one mandatory jury session each year, and to provide further for the compensation of the official Court Reporter.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Carr	Dominick	Foshee
Bailes	Cook	Dozier	Gilmore
Branyon	Cooper	Fine	Hammond

Hawkins	McLain	Pelham	Vacca	
Horne	Malone	Pierce	Wilder	
Lindsey	O'Bannon	Shelby	Wilson	
Lybrand	Owen			—25
Nays:				—0

The Bill:

H. 1483. To repeal Act No. 677, S. 820, approved August 29, 1969, Regular Session 1969 (Acts of Alabama, Special and regular Sessions, 1969, p. 1212), entitled, "An Act Relating to counties having a population of not less than 16,150 and not more than 17,250 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Edington	Lindsey	Pelham	
Branyon	Fine	Littleton	Register	
Carr	Foshee	McLain	Shelby	
Cook	Gilmore	Malone	Vacca	
Cooper	Hammond	Noonan	Wilder	
Dominick	Hawkins			—25
Nays:				—0

The Bill:

H. 1484. To amend the title and Section 1 of Act No. 1159, S. 873, Regular Session 1969 (Acts 1969, p. 2168) which fixes the compensation of the judge of probate and the sheriff in certain counties classified on a population basis and to provide an effective date to begin at the next term of office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Carr	Fine	Littleton	Register	
Clark	Foshee	Lybrand	Vacca	
Cook	Gilmore	Malone	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Jones			—25
Nays:				—0

The Bill:

H. 1485. To repeal Act No. 823, H. 899, approved September 8, 1961, Regular Session 1961 (Acts 1961, p. 1209), entitled, "An Act Relating to counties having a population of not less than 16,150 nor more than 17,250 inhabitants; to authorize county governing bodies to provide for payment of expenses of certain county officers."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Foshee	McLain	Shelby
Cook	Gilmore	Noonan	Vacca
Cooper	Hammond	O'Bannon	Weaver
Dominick	Hawkins	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1486. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87) which regulates the compensation of election officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Hammond	McLain	Weaver
Cook	Hawkins	Noonan	Wilder
Cooper	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1487. To amend the title and Section 1 of Act No. 118, H. 426, Regular Session 1965 (Acts 1965, p. 176), which provides transportation allowances for the chairmen and members of the county commission in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pierce
Bailes	Fine	Lindsey	Register
Carr	Foshee	Littleton	Shelby
Clark	Gilmore	McLain	Weaver
Cook	Hammond	Malone	Wilder
Cooper	Hawkins	O'Bannon	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1488. To amend the title and Section 1 of Act No. 126, H. 115, Special Session 1965 (Acts 1965, p. 178), which authorizes the Chief Justice of the Supreme Court to assign a special Judge to the County Courts of record in certain counties classified on a population basis



where the duly elected or appointed Judge thereof is disqualified to act or is unable to attend Court on account of sickness or a vacancy has existed in the office of the Judge of said Court for more than thirty days, and to provide additional compensation to be paid such special Judge from the general fund of the County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Shelby	
Clark	Hammond	McLain	Weaver	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne	O'Bannon	Wilson	
Dominick	Jones			—25

*Nays:* —0

The Bill:

H. 1489. To amend the title and Section 1 of Act No. 346, H. 333, Special Session 1966 (Acts 1966, p. 489) which regulates the salary of the coroner in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	Lybrand	Register	
Branyon	Gilmore	McLain	Shelby	
Clark	Hammond	Noonan	Weaver	
Cook	Hawkins	Owen	Wilder	
Dominick	Jones	Pelham	Wilson	
Edington	King			—25

*Nays:* —0

The Bill:

H. 1490. To amend the title and Section 1 of Act No. 198, H. 222, Special Session 1967 (Acts 1967, p. 244) which provides expense allowances for clerks of the circuit courts in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lybrand	Pierce	
Carr	Gilmore	McLain	Vacca	
Clark	Hammond	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

*Nays:* —0

## The Bill:

H. 1491. To amend the title and Section 1 of Act No. 563, H. 705, Regular Session 1967 (Acts 1967, p. 1319) which authorizes the chairman or president of the county governing body to make expenditures from the county road, bridge and public building fund in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lybrand	Register	
Carr	Foshee	McLain	Shelby	
Clark	Gilmore	Noonan	Vacca	
Cook	Hammond	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

## Nays:

—0

## The Bill:

H. 1492. To amend the title and Section 1 of Act No. 197, H. 214, Special Session 1967 (Acts 1967, p. 243) which provides clerical assistance for the Deputy District Attorneys of counties that are a part of three (3) county judicial circuits where the district attorneys for those three (3) county judicial circuits reside in a county of that judicial circuit where the Deputy District Attorney resides, and the county where the Deputy District Attorney resides is classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Hawkins	Malone	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

## Nays:

—0

## The Bill:

H. 1493. To amend the title and Section 1 of Act No. 512, H. 860, Regular Session 1969 (Acts 1969, p. 982) which relieves the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Clark	Dozier	Foshee	
Bailes	Cook	Edington	Gilmore	
Carr	Dominick	Fine	Hammond	

Horne	Littleton	Owen	Weaver	
Jones	Lybrand	Pierce	Wilder	
King	Noonan	Shelby	Wilson	
Lindsey	O'Bannon			—25

*Nays:* —0

**The Bill:**

H. 1494. To amend the title and Section 1 of Act No. 664, H. 909, Regular Session 1967 (Acts 1967, p. 1485) which provides expense allowances for tax collectors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Littleton	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Gilmore	McLain	Register	
Cook	Hammond	Malone	Shelby	
Cooper	Horne	O'Bannon	Vacca	
Dominick	Jones	Owen	Wilder	
Dozier	King			—25

*Nays:* —0

**The Bill:**

H. 1495. To amend the title and Section 1 of Act No. 694, H. 956, Regular Session 1967 (Acts 1967, p. 1519) which provides expense allowances for the register in chancery in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pierce	
Bailes	Fine	Littleton	Shelby	
Carr	Foshee	McLain	Vacca	
Clark	Gilmore	Malone	Weaver	
Cook	Hammond	O'Bannon	Wilder	
Cooper	Hawkins	Owen	Wilson	
Dozier	Jones			—25

*Nays:* —0

**The Bill:**

H. 1496. To amend the title and Section 1 of Act No. 665, H. 910, Regular Session 1967 (Acts 1967, p. 1486) which provides expense allowances for tax assessors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Littleton	Owen
Bailes	Edington	Lybrand	Pelham
Branyon	Fine	McLain	Register
Carr	Gilmore	Malone	Shelby
Clark	Hammond	Noonan	Weaver
Cook	Horne	O'Bannon	Wilder
Dominick	Jones		

—25

Nays:

—0

The Bill:

H. 1497. To repeal Act No. 873, H. 1203, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1582), entitled, "An Act To apply only in counties having populations of not less than 16,200 nor more than 17,200 inhabitants, authorizing the county board of education to fix expense allowances for members of the board."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Foshee	Littleton	Register
Carr	Hammond	McLain	Shelby
Clark	Hawkins	Malone	Vacca
Cook	Horne	O'Bannon	Wilder
Cooper	Jones	Owen	Wilson
Dominick	King		

—25

Nays:

—0

The Bill:

H. 1498. To repeal Act No. 722, H. 1018, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1557), entitled, "An Act To apply only in counties having populations of not less than 16,200 nor more than 17,200 according to the most recent federal decennial census; further regulating the compensation and meeting days of members of the county board of education in all such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen
Bailes	Edington	Littleton	Pierce
Branyon	Gilmore	McLain	Shelby
Carr	Hammond	Malone	Vacca
Clark	Hawkins	Noonan	Weaver
Cook	Horne	O'Bannon	Wilder
Cooper	Jones		

—25

Nays:

—0

## The Bill:

H. 1499. To apply only in counties having populations of not less than 15,400 nor more than 15,625 according to the most recent federal decennial census; authorizing the county board of education to fix expense allowances for its members; and further regulating the compensation and meeting days for members of such board of education in said counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Edington	Littleton	Register	
Carr	Fine	McLain	Shelby	
Clark	Foshee	Malone	Weaver	
Cook	Gilmore	O'Bannon	Wilder	
Cooper	Hammond	Owen	Wilson	
Dominick	Hawkins			—25

Nays: —0

## The Bill:

H. 1501. To amend the title and Section 1 of Act No. 936, H. 1352, Regular Session 1969 (Acts 1969, p. 1672) which authorizes the county commission to appropriate county funds to establish a contingent fund providing for the use of such funds in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Hammond	Malone	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Cook	Horne	Owen	Wilson	
Dominick	Jones			—25

Nays: —0

## The Bill:

H. 1543. To amend the title and Section 1 of Act No. 407, H. 1, approved August 19, 1969 (Acts of Alabama, 1969, Vol. I, Page 798) entitled "An Act relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general funds of the county; and defining terms" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more

than 61,000 according to the most recent federal decennial census and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	Lindsey	Pierce
Branyon	Fine	Littleton	Register
Clark	Gilmore	McLain	Vacca
Cook	Givhan	Malone	Weaver
Cooper	Hammond	Noonan	Wilson
Dominick	Hawkins		

—25

Nays:

—0

The Bill:

H. 1544. To amend the title and Section 1 of Act No. 898, H. 1265, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1624) entitled "An Act applying only in counties having populations of not less than 48,500 nor more than 49,500, according to the most recent federal decennial census; providing for additional meetings of the governing bodies of such counties and for additional compensation and expense allowances for the members of said body, including the chairman" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	Lindsey	Pierce
Carr	Givhan	Lybrand	Shelby
Clark	Hammond	McLain	Vacca
Cook	Harris	Malone	Wilder
Cooper	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1546. To amend the title and Section 1 of Act No. 931, H. 1345, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1669) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500, authorizing the governing body of any such county to appropriate county funds to certain non-profit organizations" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Wilder	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 1547. To further amend Section 1 of Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159) as amended by Act No. 1183, H. 1344, approved September 13, 1969 (Acts of Alabama 1969, Vol. III, Page 2212) entitled "An Act to amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Owen	
Bailes	Fine	Littleton	Pierce	
Branyon	Givhan	Lybrand	Shelby	
Carr	Hammond	McLain	Vacca	
Clark	Hawkins	Malone	Wilder	
Cook	Horne	Noonan	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 1548. To amend the title and Section 1 of Act No. 930, H. 1343, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1668) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500, to provide that the county governing bodies of such counties shall furnish necessary transportation for travel on official business of certain county officers" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Carr	Dominick	Fine
Bailes	Clark	Dozier	Foshee
Branyon	Cooper	Edington	Hammond

Harris	Lindsey	Owen	Shelby	
Hawkins	McLain	Pierce	Weaver	
Jones	Malone	Register	Wilson	
King	Noonan			—25
<i>Nays:</i>				—0

**The Bill:**

H. 1549. To amend the title of Act No. 589, H. 594, approved September 8, 1967 (Acts of Alabama, 1967, Vol. II, Page 1362) entitled "An Act to amend Act No. 616, H. 1163, Regular Session 1965 relating to counties having populations of not less than 48,200 nor more than 49,200 according to the most recent federal decennial census, and making further provisions respecting meetings of the board of registrars in such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	McLain	Vacca	
Cooper	Givhan	Malone	Wilder	
Dominick	Harris	Noonan	Wilson	
Dozier	Horne			—25
<i>Nays:</i>				—0

**The Bill:**

H. 1550. To amend the title and Section 1 of Act No. 545, S. 604, approved September 7, 1967 (Acts of Alabama, 1967, Vol. II, Page 1294) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500; providing an additional allowance for the tax assessors and tax collectors of such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Carr	Foshee	Lindsey	Register	
Clark	Gilmore	Littleton	Vacca	
Cook	Hammond	Malone	Wilder	
Dominick	Harris	Noonan	Wilson	
Dozier	Horne			—25
<i>Nays:</i>				—0



**The Bill:**

H. 1552. To amend the title and Section 1 of Act No. 82, S. 128, approved August 23, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 215) entitled "An Act to apply only in counties having populations of not less than 48,500 nor more than 49,500 according to the most recent federal decennial census; authorizing the county governing body to contribute county funds towards the construction and equipment of a museum" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	King	Pierce	
Carr	Foshee	Lindsey	Shelby	
Cook	Gilmore	Lybrand	Vacca	
Cooper	Hammond	Malone	Wilder	
Dominick	Harris	Noonan	Wilson	
Dozier	Horne			—25

**Nays:**

—0

**The Bill:**

H. 1551. To amend the title and Section 1 of Act No. 60, H. 5, approved August 17, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 82) entitled "An Act to apply only in counties in the state having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dozier	Horne			—25

**Nays:**

—0

## The Bill:

H. 1555. To amend the title and Section 1 of Act No. 616, H. 1163, approved August 26, 1965 (Acts of Alabama, 1965, Vol. II, Page 1130) entitled "An Act to regulate further the meeting days and compensations of the county boards of registrars in all counties having populations of not less than 48,200 nor more than 49,200, according to the most recent federal decennial census" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Foshee	King	Pierce	
Carr	Givhan	Lindsey	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

H. 1556. To amend the Title and Section 1 of Act No. 171, S. 109, approved April 5, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 222) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,750; to provide for payment by the county of per diem allowances to members of boards of registrars in such counties" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Gilmore	King	Pelham	
Branyon	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Malone	Wilder	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

H. 1553. To amend the title and Section 1 of Act No. 354, H. 356, approved September 12, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 495) entitled "An Act to apply only in counties having populations of not less than 48,500 nor more than 49,500; regulating official bonds of county officers and employees and repealing conflicting laws" so that said Act after passage and approval of this Act by

the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Wilder	
Cook	Hawkins	Noonan	Wilson	
Cooper	Horne			—25

*Nays:* —0

The Bill:

H. 1559. To amend the title and Section 1 of Act No. 363, H. 757, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 383) entitled "An Act to provide contingent funds for all counties having populations of not less than 48,500 nor more than 49,500, and regulating the use of such funds" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Owen	
Branyon	Fine	Lindsey	Pelham	
Carr	Foshee	Littleton	Register	
Cook	Harris	Lybrand	Shelby	
Cooper	Hawkins	McLain	Vacca	
Dominick	Horne	Malone	Wilder	
Dozier	Jones			—25

*Nays:* —0

The Bill:

H. 1558. To amend the title and Section 1 of Act No. 180, H. 221, approved August 28, 1964, (Acts of Alabama, Special Sessions 1964, Vol. I, Page 246) entitled "An Act to authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	Lindsey	Pierce	
Branyon	Fine	Lybrand	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Malone	Wilder	
Cook	Harris	Noonan	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1560. To amend the title and Section 1 of Act No. 345, H. 639, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 365) entitled "An Act to empower the board of revenue, court of county commissioners, or other like governing body of counties having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the 1960 or any subsequent federal decennial census, to authorize the offices of officials in the courthouse to be closed all day on Saturday each week" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pierce	
Carr	Fine	Lindsey	Shelby	
Clark	Foshee	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	Noonan	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1561. To amend the title and Section 1 of Act No. 350, H. 644, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 368), entitled "An Act relating to corporations organized to operate municipal water, sewer, gas, and electric systems, regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 48,500 nor more than 49,500, according to the 1960 or any subsequent federal decennial census" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Foshee	King	Pierce
Branyon	Givhan	Lindsey	Register
Carr	Hammond	Littleton	Vacca
Clark	Harris	Malone	Weaver
Cook	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1562. To amend the title and Section 1 of Act No. 349, H. 643, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 367) entitled "An Act relating to all counties having a population of not less than 48,500 nor more than 49,500 according to the 1960 or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Foshee	King	Pierce
Branyon	Gilmore	Lindsey	Shelby
Carr	Hammond	Lybrand	Vacca
Cook	Harris	McLain	Wilder
Cooper	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 1563. To amend the title and Section 1 of Act No. 846, H. 1529, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1263) entitled "An Act relating to the appointment, duties, and compensation of the county treasurer in all counties having populations of not less than 48,500 nor more than 49,750" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Fine	Harris
Bailes	Cooper	Foshee	Horne
Carr	Dozier	Gilmore	King
Clark	Edington	Givhan	Littleton

Lybrand	Noonan	Register	Weaver	
McLain	Owen	Shelby	Wilder	
Malone	Pierce			—25

Nays: —0

The Bill:

H. 1564. To amend the title and Section 1 of Act No. 845, H. 1528, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1262) entitled "An Act to authorize the employment of an administrative assistant to the governing body of any county having a population of not less than 48,500 nor more than 49,750" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan	
Bailes	Foshee	King	Owen	
Carr	Givhan	Lindsey	Pierce	
Clark	Hammond	Lybrand	Shelby	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Malone	Wilder	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1565. To amend the title and Section 1 of Act No. 439, H. 641, approved August 28, 1953 (Acts of Alabama 1953, Vol. I, Page 546) entitled "An Act relating to municipal corporations; providing that the governing body of any town (as defined by Section 5, Title 37, Code 1940) located within a county having a population of not less than 40,500 nor more than 45,000, according to the last or any subsequent federal decennial census, for which a corporation has been organized to operate a waterworks, sewer, gas, or electric system under the provisions of Act No. 175, S. 280, approved June 29, 1951, as amended, may increase the number of directors of such corporation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Carr	Gilmore	Lindsey	Register	
Cook	Hammond	Lybrand	Weaver	
Cooper	Harris	McLain	Wilder	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

## The Bill:

H. 1696. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Carr	Foshee	Littleton	Register
Cook	Gilmore	Malone	Shelby
Cooper	Givhan	Noonan	Weaver
Dominick	Harris	O'Bannon	Wilson
Dozier	Horne		

—25

## Nays:

—0

## The Bill:

H. 1590. Relating to cities having a population of not less than 135,000 nor more than 185,000, according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	King	Pierce
Branyon	Gilmore	Lindsey	Shelby
Carr	Givhan	Littleton	Vacca
Clark	Hammond	McLain	Weaver
Cook	Harris	Noonan	Wilson
Dominick	Horne		

—25

## Nays:

—0

## The Bill:

H. 1591. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Carr	Dominick	Fine
Bailes	Clark	Dozier	Foshee
Branyon	Cooper	Edington	Givhan

Harris	Lindsey	Owen	Vacca	
Horne	Littleton	Pierce	Wilder	
Jones	McLain	Shelby	Wilson	
King	Noonan			—25
Nays:				—0

## The Bill:

H. 1592. Relating to the powers of cities having a population of not less than 135,000 and not more than 185,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic character of the city, including designating historic districts, defining the boundaries of such districts, establishing certain agencies, procedures and regulations to promote the preservation of such districts, conferring certain duties and powers upon such agencies, and adopting other provisions necessary to effect the purposes of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	King	Pelham	
Branyon	Edington	Lindsey	Register	
Carr	Fine	Littleton	Vacca	
Clark	Hammond	McLain	Weaver	
Cook	Harris	Noonan	Wilson	
Cooper	Horne			—25
Nays:				—0

## The Bill:

H. 1593. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Horne	Pelham	
Bailes	Edington	King	Pierce	
Branyon	Fine	Littleton	Shelby	
Carr	Foshee	McLain	Vacca	
Clark	Gilmore	Noonan	Wilder	
Cook	Givhan	Owen	Wilson	
Cooper	Hammond			—25
Nays:				—0

## The Bill:

H. 1594. Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the most recent federal decennial census to create a planning commission having certain powers, duties and regulations.

Was read a third time at length and passed.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pierce	
Branyon	Fine	Lindsey	Register	
Carr	Givhan	Littleton	Vacca	
Clark	Hammond	McLain	Wilder	
Cook	Harris	Noonan	Wilson	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 1595. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Carr	Foshee	McLain	Shelby	
Clark	Gilmore	Noonan	Vacca	
Cooper	Givhan	O'Bannon	Wilder	
Dominick	Hammond	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1596. Relating to cities having a population of not less than 135,000 nor more than 185,000 according to the last or any subsequent federal decennial census; providing that such cities shall be governed by a mayor and five councilmen; providing for the election of the mayor and council of all such cities; further providing for the powers and duties of the mayor in said cities; providing for qualifying fees for each person who is a candidate for office of the mayor and for office of the council in said cities; further providing for the compensation of the mayor within said cities; providing for the appointment by the Mayor of any administrative assistant to the mayor within said cities; and providing for an effective date for this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Branyon	Foshee	McLain	Pierce	
Clark	Givhan	Malone	Shelby	
Cook	Hammond	Noonan	Vacca	
Dominick	Harris	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

## The Bill:

H. 1685. To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Weaver	
Cook	Harris	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	Jones			—25

## Nays:

—0

## The Bill:

H. 1686. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	McLain	Shelby	
Cook	Hammond	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

H. 1705. To amend Section 12 and 13 of Act Number 418 approved November 13, 1959: To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitute therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 797. To provide office furniture, supplies, and equipment and a secretary for the Circuit Judge for the Thirty-seventh Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Shelby	
Clark	Givhan	Noonan	Vacca	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 308. To regulate further the summoning of witnesses in Tuscaloosa County; to provide that witnesses may be subpoenaed by United States mail in Tuscaloosa County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Littleton	Pierce	
Carr	Foshee	McLain	Shelby	
Clark	Gilmore	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 891. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Noonan	
Bailes	Edington	Jones	Owen	
Carr	Fine	King	Pelham	
Clark	Foshee	Lindsey	Register	
Cook	Hammond	Lybrand	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins			—25

Nays: —0

The Bill:

H. 892. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Carr	Fine	Lindsey	Register	
Clark	Foshee	Lybrand	Vacca	
Cook	Gilmore	Malone	Weaver	
Cooper	Harris	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 935. To amend the title and Section 1 of Act No. 101, H. 99, Regular Session 1967 (Acts 1967, p. 440), which authorizes the sheriff to issue permits for the movement of certain sized houses and objects in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 949. To further amend the title and Section 1 of Act No. 681, S. 291, Regular Session 1965 (Acts 1965, p. 1243), which provides further for the payment and retirement of certain claims against the fine and forfeiture funds of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	Littleton	Pierce
Carr	Foshee	Lybrand	Register
Clark	Givhan	Malone	Vacca
Cook	Hammond	Noonan	Weaver
Cooper	Harris	O'Bannon	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

H. 951. To amend further the title and Section 1 of Act No. 221, H. 140, approved August 8, 1955 (Acts 1955, p. 531), as last amended, which relates to the power, authority, and jurisdiction of courts pursuant to final judgment upon bail bonds or undertakings in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edington	Lindsey	Pelham
Branyon	Fine	Lybrand	Pierce
Carr	Foshee	McLain	Shelby
Cook	Gilmore	Malone	Vacca
Cooper	Givhan	O'Bannon	Wilson
Dominick	Hawkins		

—25

Nays:

—0

The Bill:

H. 1106. To amend the title and Section 1 of Act No. 50, H. 80, Special Session 1970 (Acts 1970, p. 2673), which provides for the salary of the chief deputy sheriff of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Gilmore	Lybrand	Register
Branyon	Givhan	McLain	Vacca
Clark	Hawkins	Noonan	Weaver
Cooper	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 1107. To amend the title and Section 1 of Act No. 495, S. 460, Regular Session 1963 (Acts 1963, p. 1060), which provides for the licensing and regulation of hunting on certain privately owned hunting preserves; prescribes fees for such licenses, collection and distribution

thereof, and prescribes penalties for violations, in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Gilmore	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Clark	Hammond	O'Bannon	Weaver	
Cooper	Harris	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Fine	King			—25

Nays:

—0

The Bill:

H. 1108. To amend the title and Section 1 of Act No. 60, S. 125, Special Session 1964 (Acts 1964, p. 83), which provides for contingent funds and regulates the use thereof, in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Givhan	Lybrand	Register	
Branyon	Harris	Malone	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1109. To amend the title and Section 1 of Act No. 251, H. 701, Regular Session 1969 (Acts 1969, p. 583), which abolishes the public highway and traffic funds in the county treasuries and provides for the transfer of such monies to the general fund and for the deposit of certain other monies in such general fund, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1110. To amend the title and Section 1 of Act No. 119, H. 348, Regular Session 1967 (Acts 1967, p. 455), which regulates the use of voting machines where previously or subsequently authorized, establishes voting centers, provides for election officers at such centers, and prescribes the duties and fines the compensation for such officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	McLain	Register	
Clark	Hawkins	Malone	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1111. To amend the title and Section 1 of Act No. 341, H. 804, Regular Session 1969 (Acts 1969, p. 713), which provides further for the compensation of certain bailiffs in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Register	
Branyon	Gilmore	McLain	Shelby	
Clark	Hammond	Malone	Weaver	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1112. To amend the title and Section 1 of Act No. 503, H. 905, Regular Session 1961 (Acts 1961, p. 602), which regulates the compensation of deputy sheriffs in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Register	
Bailes	Givhan	Lybrand	Shelby	
Branyon	Harris	Malone	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

Nays: —0

**The Bill:**

H. 1113. To amend the title and Section 1 of Act No. 110, S. 331, Regular Session 1965 (Acts 1965, p. 171), which further regulates the number and compensation of sheriff's deputies, in certain counties on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Clark	Hammond	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

**Nays:**

—0

**The Bill:**

H. 1114. To amend the title and Section 1 of Act No. 335, H. 700, Regular Session 1969 (Acts 1969, p. 707), which provides further for expense allowances to the members and clerk of the governing bodies of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Givhan	Lybrand	Register	
Branyon	Hammond	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

**Nays:**

—0

**The Bill:**

H. 1115. To amend the title and Section 1 of Act No. 252, H. 702, Regular Session 1969 (Acts 1969, p. 584), which further regulates the number and compensation of deputies and other employees of the sheriffs of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Clark	Hammond	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

**Nays:**

—0



The Bill:

H. 1116. To amend the title and Section 1 of Act No. 336, H. 703, Regular Session 1969 (Acts 1969, p. 708), which provides an expense allowance for members of the governing body of certain cities classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Register	
Branyon	Givhan	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Cooper	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1355. To amend the title and Section 1 of Act No. 255, H. 766, Regular Session 1969 (Acts 1969, p. 587) which relates to the board of directors and compensation thereof of certain municipal corporations in certain municipalities classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	McLain	Shelby	
Clark	Givhan	Malone	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1511. To fix for the first time since 1957 the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 48,500 nor more than 50,500, according to the most recent federal decennial census, to repeal conflicting laws, and to provide a referendum.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Gilmore	Lindsey	Pelham	
Branyon	Givhan	Littleton	Pierce	
Carr	Harris	Lybrand	Shelby	
Cook	Hawkins	McLain	Vacca	
Cooper	Horne	Malone	Wilder	
Dozier	Jones			—25

Nays: —0

**The Bill:**

H. 1513. Relating to Houston County; to provide for the compensation of the board of equalization and fix the number of days they shall meet each year.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Register	
Clark	Hammond	Lybrand	Vacca	
Cook	Harris	McLain	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

*Nays:*

—0

**The Bill:**

H. 1514. To regulate motor vehicles (automobile, trucks, etc.) parking on County property around the Houston County Courthouse, to set a time limit for motor vehicles to be parked, to authorize Houston County Sheriff to deputize the Houston County Maintenance Engineer for the enforcement of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

*Nays:*

—0

**The Bill:**

H. 1521. To provide for the salary of the Sheriff of Houston County and the payment of the expenses of operating his office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Owen	
Bailes	Fine	Littleton	Pelham	
Branyon	Foshee	Lybrand	Register	
Carr	Gilmore	Malone	Vacca	
Cook	Hammond	Noonan	Wilder	
Cooper	Harris	O'Bannon	Wilson	
Dominick	Horne			—25

*Nays:*

—0

**The Bill:**

H. 1522. To provide for meetings of the board of registrars of Houston County and for files of registered voters in said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Horne	O'Bannon	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Register	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	McLain	Wilder	
Dominick	Hammond	Malone	Wilson	
Dozier	Hawkins			—25

**Nays:** —0

**The Bill:**

H. 1528. To repeal Act No. 234, H. 228, approved August 15, 1963, Regular Session 1963 (Acts 1963, p. 635), entitled, "An Act relating to counties having populations of not less than 17,400 nor more than 17,800 inhabitants according to the 1960 or any subsequent federal decennial census; authorizing the county boards of education in such counties to retire teachers who have attained the age of sixty-five."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Gilmore	McLain	Shelby	
Branyon	Hammond	Noonan	Vacca	
Carr	Harris	O'Bannon	Weaver	
Clark	Horne	Owen	Wilder	
Cooper	King	Pelham	Wilson	
Edington	Lindsey			—25

**Nays:** —0

**The Bill:**

H. 1542. Relating to Houston County; to provide additional expense allowances for members of the County Board of Education in such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dominick	King	Owen	
Bailes	Dozier	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Vacca	
Clark	Hammond	McLain	Weaver	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne			—25

**Nays:** —0

**The Bill:**

H. 1569. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain area from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Foshee	Jones	Noonan	
Branyon	Gilmore	King	Pelham	
Clark	Givhan	Lindsey	Register	
Cook	Hammond	Littleton	Shelby	
Cooper	Harris	Lybrand	Vacca	
Dominick	Hawkins	McLain	Wilder	
Edington	Horne			—25

**Nays:**

—0

**The Bill:**

H. 1687. To amend the Title and Section 1 of Act No. 221, H. 734, approved August 9, 1965 (Acts of Alabama 1965 Regular Session, Volume I, p. 310), an act relating to counties in the state having a population of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Carr	Foshee	McLain	Shelby	
Clark	Gilmore	Malone	Vacca	
Cook	Givhan	Noonan	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Horne			—25

**Nays:**

—0

**The Bill:**

H. 1688. To amend the Title and Section 1 of Act No. 597, H. 644, approved September 8, 1967 (Acts of Alabama 1967 Organizational Special Regular Sessions of Volume II, p. 1382), an act relating to regulating the compensation of jurors serving in certain courts in counties having populations of not less than 57,000 nor more than 61,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Branyon	Fine	Littleton	Pierce	
Carr	Foshee	McLain	Shelby	
Cook	Gilmore	Malone	Weaver	
Cooper	Givhan	Noonan	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1689. To amend the Title and Section 1 of Act No. 414, H. 944, approved August 16, 1965 (Acts of Alabama 1965 Regular Session p. 603), an act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; requiring the county governing body to provide for the microfilming of records required to be recorded in the office of the judge of probate, the register, and circuit clerk.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	King	Pelham	
Carr	Fine	Littleton	Pierce	
Clark	Gilmore	Lybrand	Register	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1690. To amend the Title and Section 1 of Act No. 668, S. 787, approved August 29, 1969 (Acts of Alabama 1969 Special and Regular Sessions, Volume II, p. 1203), an act relating to compensation of members of county board of registrars in all counties having populations of not less than 57,000 nor more than 61,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Clark	Gilmore	Malone	Shelby	
Cook	Givhan	Noonan	Vacca	
Cooper	Harris	O'Bannon	Weaver	
Dozier	Horne	Owen	Wilder	
Edington	King			—25

Nays: —0

## The Bill:

H. 1691. To amend the Title and Section I of Act No. 115, H. 191, approved August 19, 1966 (Acts of Alabama 1966 Special Session p. 147), an act relating to creating the office of commissioner of licenses in all counties having populations of not less than 57,000 nor more than 61,000.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Weaver	
Cooper	Harris	Malone	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

## Nays:

—0

## The Bill:

H. 1692. Relating to counties having a population of not less than 75,000 nor more than 90,000; to authorize the county commission to establish a contingent fund for the payment of certain equitable and just claims and other expenses.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	King			—25

## Nays:

—0

## The Bill:

H. 1695. To provide additional compensation for the official court reporter of all judicial circuits having one judge and composed of two counties and the total combined population of both counties being not less than 50,000 nor more than 70,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Givhan	McLain	Register	
Carr	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
Fine	Lindsey			—25

## Nays:

—0

The Bill:

H. 1698. Relating to Walker County; to provide an expense allowance to the Judge of the Inferior Court of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Carr	Fine	King	Pierce	
Clark	Gilmore	Littleton	Shelby	
Cook	Givhan	Lybrand	Vacca	
Cooper	Hammond	McLain	Weaver	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1699. Relating to Walker County; to impose a trial tax on all cases in the Inferior Court of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Pierce	
Branyon	Fine	King	Shelby	
Carr	Foshee	Littleton	Vacca	
Cook	Gilmore	Lybrand	Weaver	
Cooper	Givhan	Noonan	Wilson	
Dominick	Harris			—25

Nays:

—0

The Bill:

H. 1700. Relating to Walker County, providing for the participation of certain county employees in the Employees' Retirement System of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Branyon	Fine	King	Pierce	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1703. To provide for an increase in the compensation of all court bailiffs, members of the jury commission, members of the board

of registrars and members of the tax equalization board of all counties having a population of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Weaver	
Clark	Hammond	Malone	Wilder	
Cooper	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1707. To amend the title and Sections 1 and 2 of Act No. 123, H. 130, Second Special Session 1963 (Acts 1963, p. 312), which authorizes the county commission to prescribe the times when county offices may be closed in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Register	
Carr	Givhan	Lybrand	Vacca	
Clark	Harris	McLain	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1708. To amend the title and Section 1 of Act No. 182, H. 558, Regular Session 1963 (Acts 1963, p. 567), which provides for the compensation of county or deputy solicitors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Branyon	Fine	Littleton	Pelham	
Clark	Foshee	McLain	Register	
Cook	Givhan	Malone	Vacca	
Cooper	Hammond	Noonan	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0



## The Bill:

H. 1709. To amend the title and Section 1 of Act No. 130, H. 121, Special Session 1965 (Acts 1965, p. 183), which regulates the compensation of election officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Register	
Carr	Foshee	Littleton	Shelby	
Cook	Gilmore	McLain	Weaver	
Cooper	Givhan	Malone	Wilson	
Dominick	Harris			—25

## Nays:

—0

## The Bill:

H. 924. To amend the title and Section 1 of Act No. 1188, H. 1414, Regular Session 1969 (Acts 1969, p. 2223), which provides for the reinstatement of driving privileges after suspension thereof in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

H. 1710. To amend the title and Section 1 of Act No. 113, H. 254, Regular Session 1969 (Acts 1969, p. 392), which provides a county supplement to the per diem compensation of members of the county board of equalization in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Register	
Branyon	Givhan	McLain	Shelby	
Clark	Hammond	Noonan	Vacca	
Cooper	Harris	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

## Nays:

—0

## The Bill:

H. 1711. To amend the title and Section 1 of Act No. 381, H. 939, Regular Session 1969 (Acts 1969, p. 751), which fixes the fee for issuance of a pistol permit by the sheriff; and provides for the distribution and use of such fees in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Littleton	Pelham
Branyon	Foshee	Lybrand	Register
Clark	Hammond	Malone	Vacca
Cooper	Harris	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

## Nays:

—0

## The Bill:

H. 1712. To amend the title and Section 1 of Act No. 114, H. 256, Regular Session 1969 (Acts 1969, p. 393), which authorizes the county commission to pay the salaries of clerks for the tax assessor and the tax collector in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Givhan	Lybrand	Register
Clark	Hammond	McLain	Vacca
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

## Nays:

—0

## The Bill:

H. 1713. To amend the title and Section 1 of Act No. 391, H. 987, Regular Session 1969 (Acts 1969, p. 766), which increases the compensation of members of boards of registrars in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Littleton	Pelham
Bailes	Fine	Lybrand	Register
Branyon	Gilmore	Malone	Vacca
Clark	Hammond	Noonan	Weaver
Cooper	Harris	O'Bannon	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Jones		

—25

## Nays:

—0

The Bill:

H. 1714. To amend the title and Section 1 of Act No. 805, H. 1016, Regular Session 1969 (Acts 1969, p. 1449), which relates to additional compensation paid official court reporters in all circuits composed of two counties, having two circuit judges, and in which one county has a population of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Lybrand	Vacca	
Clark	Gilmore	Malone	Weaver	
Cooper	Givhan	O'Bannon	Wilder	
Dominick	Hammond	Owen	Wilson	
Dozier	Hawkins			—25

Nays:

—0

The Bill:

H. 1715. To amend the title and Section 1 of Act No. 392, H. 988, Regular Session 1969 (Acts 1969, p. 767), which increases the compensation of members of the jury commission in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Register	
Branyon	Gilmore	Lybrand	Vacca	
Clark	Givhan	McLain	Weaver	
Cooper	Hammond	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1716. Relating to Houston County, directing the board of registrars to purge the list of registered voters, requiring and prescribing the procedure for the reidentification of registered voters; and providing a penalty for wilfully making a false statement in connection with reidentification.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Clark	Gilmore	Littleton	Register	
Cooper	Givhan	Lybrand	Vacca	
Dominick	Harris	McLain	Wilder	
Dozier	Horne			—25

Nays:

—0

## The Bill:

H. 1763. To provide for expense allowances for Tax Collectors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Pelham	
Branyon	Fine	Lindsey	Register	
Carr	Foshee	Lybrand	Shelby	
Clark	Gilmore	McLain	Weaver	
Cook	Givhan	Noonan	Wilson	
Dominick	Hammond			—25

## Nays:

—0

## The Bill:

H. 1764. To provide for expense allowances for Probate Judges in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Pierce	
Branyon	Fine	King	Register	
Carr	Foshee	Littleton	Vacca	
Clark	Gilmore	Lybrand	Weaver	
Cooper	Givhan	Malone	Wilson	
Dominick	Hammond			—25

## Nays:

—0

## The Bill:

H. 1765. To provide for expense allowances for tax assessors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Littleton	Owen	
Bailes	Fine	Lybrand	Pierce	
Carr	Gilmore	McLain	Register	
Clark	Givhan	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

## Nays:

—0

## The Bill:

H. 1770. To change the composition of the Board of Education of Phenix City, in Russell County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Shelby	
Clark	Gilmore	McLain	Vacca	
Cooper	Givhan	Malone	Wilder	
Dominick	Hammond	Noonan	Wilson	
Dozier	Harris			—25

Nays: —0

The Bill:

H. 1771. To amend Sections 1 and 2 of Act No. 17, H. 125, Regular Session 1947, which act created a hospital commission for Phenix City, in Russell County, by increasing the membership and authority of said commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Clark	Givhan	Noonan	Vacca	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1772. To provide for payment of fees of state witnesses in certain cases from the general funds of Russell County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Fine	Lybrand	Register	
Branyon	Foshee	McLain	Vacca	
Clark	Givhan	Malone	Weaver	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1790. To provide for a retirement pension for certain salaried elected public officials of any County having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census, to set the eligibility requirements for such pension and the amount, including contributions to retirement fund, and method and source of payment thereof, and to require the approval

by a majority of the voters in a county-wide referendum before the provisions of this Act become operative.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Edington	Lindsey	Register	
Branyon	Foshee	Littleton	Shelby	
Carr	Gilmore	Lybrand	Vacca	
Clark	Harris	McLain	Wilder	
Cook	Horne	Noonan	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

S. 1028. Relating to counties with populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize the county commission in such counties to appropriate \$1,000.00 out of the general fund for the relief of Grover Dean, Juanita Parrish Dean and Etta Dean.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Givhan	Lybrand	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	Noonan	Weaver	
Cooper	Horne	Owen	Wilder	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 1029. To further amend the title and Section 1 of Act No. 287, H. 193, Special Session 1965 (Acts 1965, p. 395), as last amended, which provides for compensation of members of the boards of commissioners and imposes a qualifying fee upon persons who desire to become candidates for the office of commissioner of certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen	
Carr	Givhan	Lindsey	Pelham	
Clark	Hammond	Littleton	Register	
Cook	Harris	Lybrand	Shelby	
Cooper	Hawkins	McLain	Weaver	
Dominick	Horne	Noonan	Wilder	
Edington	Jones			—25

Nays: —0

## The Bill:

S. 1030. To amend further Sections 3, 8, and 9 of Act No. 243 H. 278, first Special Session 1964, as amended, which establishes the pension and relief system for policemen and firemen of the City of Mobile, by changing the amounts of contributions of the members and of the City; by expanding the investment powers of the Board of Pensions and by changing the bond requirement for the Board of Pensions and its members.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Pelham,	
Bailes	Foshee	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Harris	McLain	Weaver	
Cooper	Horne	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

## The Bill:

S. 1037. To fix the compensation or salary of the Register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof, and to authorize and provide for the payment of a monthly expense allowance for such Register.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Pelham,	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Cook	Hammond	McLain	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	King			—25

Nays: —0

## The Bill:

S. 1038. Relating to counties having not less than 16,000 nor more than 16,250 populations, providing for the payment to the Judge of Probate, and/or Juvenile Court Judge of such counties for expenses of attending conferences of Judge of Probate and Juvenile Court Judges.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pelham,	
Bailes	Edington	Lindsey	Register	
Branyon	Fine	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris	Owen	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

S. 1045. Proposing an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for library service in Morgan County.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Register	
Carr	Foshee	Littleton	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Malone	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 1054. Relating to Baldwin County; reorganizing the Baldwin County Commission; to provide further for the number of members of the commission; their election, terms, duties and compensation; and requiring a referendum.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	McLain	Shelby	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 1058. Relating to all counties having populations of not less than 52,400 nor more than 54,000, according to the most recent federal decennial census; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and distribution of the proceeds of the tax; prescribing penalties for violations.



Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	Lindsey	Pelham
Carr	Foshee	Lybrand	Register
Clark	Givhan	McLain	Vacca
Cook	Harris	Malone	Weaver
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 1062. To authorize each municipality at any time having a population as great as 70,000 and not exceeding 135,000, according to the then next preceding Federal Census, to acquire, own, improve, maintain, and operate within the county in which such municipality is located, a public transit system for the transportation of passengers for hire; to provide that any such municipality shall have the power to expend moneys with respect to any such system; and to provide for the use by any such municipality of public roads in the said county in the operation of such system.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Hawkins	Noonan
Bailes	Fine	Jones	O'Bannon
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Weaver
Cook	Hammond	McLain	Wilson
Dominick	Harris		

—25

Nays:

—0

The Bill:

S. 1063. To provide additional alternative procedures whereby incorporated municipalities with populations of not less than 70,000 nor more than 135,000 may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	O'Bannon
Bailes	Edington	Jones	Pierce
Carr	Fine	Lindsey	Shelby
Clark	Foshee	Lybrand	Vacca
Cook	Givhan	McLain	Wilder
Cooper	Hammond	Noonan	Wilson
Dominick	Harris		

—25

Nays:

—0

## The Bill:

S. 1066. Relating to Perry County; to authorize and require the State Department of Revenue to refund to such county a portion of the state sales tax paid on purchases made with food stamps; and to provide for the use of such refunds.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Harris	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Cooper	Jones	Owen	Wilson	
Edington	King			—25

## Nays:

—0

## The Bill:

S. 1067. To authorize the county solicitor of all counties having a population of not less than 16,000 nor more than 16,250 according to the most recent Federal Decennial Census to employ an assistant district attorney and to authorize and regulate the payment of compensation to such an assistant from county funds.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Hawkins	O'Bannon	
Bailes	Edington	Jones	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Lybrand	Shelby	
Clark	Gilmore	Malone	Weaver	
Cook	Givhan	Noonan	Wilder	
Dominick	Harris			—25

## Nays:

—0

## The Bill:

S. 1068. Relating to Walker County; regulating costs and charges of certain courts in said county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Horne	O'Bannon	
Bailes	Fine	King	Pelham	
Carr	Foshee	Lindsey	Pierce	
Clark	Gilmore	Lybrand	Vacca	
Cooper	Givhan	McLain	Weaver	
Dominick	Hammond	Noonan	Wilson	
Dozier	Harris			—25

## Nays:

—0

The Bill:

H. 479. To apply in all counties having a population of not less than 48,000 and not more than 50,000 according to the 1970 Federal decennial census and having special courts where the probation services for juvenile delinquents is not now provided by the Department of Pensions and Security; to authorize and require the expenditure of State funds to pay part of the cost of salaries of juvenile court probation officers in all such counties when probation officers are certified by the State Department of Pensions and Security under standards prescribed by the State Board of Pensions and Security; to authorize matching State funds with county funds; and to appropriate from any funds in the State Treasury not otherwise appropriated money necessary for carrying out the purposes of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon
Bailes	Fine	Lindsey	Pelham
Carr	Foshee	Littleton	Register
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Dominick	Horne	Malone	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 769. To amend the title and Sections 1 and 2 of Act No. 908, H. 1286, Regular Session 1969 (Acts 1969, p. 1636), which Act provides for changes in election precincts, regulation and use of voting machines, changes in boundary lines, use of paper ballots, election officials and compensation therefor, and duties of the judge of probate in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce
Carr	Foshee	Lindsey	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	McLain	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 770. To amend the title and Section 1 of Act No. 118, H. 194, Special Session 1966 (Acts 1966, p. 156), which Act provides for the hunting of female deer or unantlered male deer in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pierce	
Bailes	Givhan	McLain	Shelby	
Branyon	Harris	Noonan	Vacca	
Carr	Horne	O'Bannon	Weaver	
Clark	Jones	Owen	Wilder	
Cooper	King	Pelham	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 771. To repeal Act No. 10, H. 14, approved October 29, 1965, Third Special Session (Acts of Alabama 1965, p. 214) entitled, "An Act Relating to counties having populations of not less than 35,500 nor more than 36,500 according to the most recent federal decennial census; to regulate further fishing gear which may be used in commercial fishing operations in the public waters of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Register	
Carr	Hammond	McLain	Shelby	
Clark	Harris	Malone	Vacca	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 772. To repeal Act No. 84, H. 94, approved, February 9, 1956, Special Session 1956 (Acts of Alabama 1956, p. 125) entitled, "An Act To provide an optional plan by which any county governing body in all counties with a present or future population of 40,000 and less than 45,000 may establish two or more voting places within an election precinct, to direct the grouping of not more than 300 names of qualified registered voters within such precinct in alphabetical order and the assignment of such groups to a designated voting place; to require the publication of such group-lists and their respective assignments to voting places within said precinct; to provide that this law shall not apply to election precincts wherein voting machines are lawfully in use; to provide for the repeal of all laws in conflict herewith; and to provide when this Act shall become effective," and all acts amendatory thereto.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Foshee	Horne
Bailes	Cooper	Givhan	Jones
Branyon	Dominick	Harris	Lindsey
Clark	Edington	Hawkins	Littleton

McLain	Owen	Vacca	Wilder	
Malone	Pierce	Weaver	Wilson	
O'Bannon	Register			—25
Nays:				—0

The Bill:

H. 773. To repeal Act No. 11, H. 15, approved, October 29, 1965, Third Special Session 1965 (Acts of Alabama 1965, p. 215) entitled, "An Act Relating to counties having populations of not less than 35,500 nor more than 36,500 according to the most recent federal decennial census; to regulate further fishing gear which may be used in commercial fishing operations in the public waters in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Register	
Carr	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25
Nays:				—0

The Bill:

H. 778. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; to prohibit employers from requiring or requesting any employee or applicant for employment to waive his right to have his juvenile court record withheld from public inspection, as such right is accorded by Section 353, Title 13, Code of Alabama 1940; providing penalties for violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Register	
Branyon	Fine	Lindsey	Vacca	
Carr	Gilmore	Littleton	Weaver	
Clark	Givhan	Lybrand	Wilder	
Cooper	Hammond	Malone	Wilson	
Dominick	Hawkins			—25
Nays:				—0

The Bill:

H. 1230. To amend Act No. 45, H. B. 29, Special Session 1967, approved April 3, 1967, creating a court in Covington County designated as the "Covington County Alabama Intermediate Court."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1127. To regulate the tenure of employment of county employees having over fifteen years' service in counties having populations of not less than 22,000 nor more than 22,500, creating a Civil Service Board of Appeals, regulating tenure of employment for such employees and prescribing the authority and qualifications, terms, duties, and expenses of members of the board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pierce	
Bailes	Foshee	Lindsey	Register	
Branyon	Givhan	Lybrand	Vacca	
Carr	Harris	McLain	Weaver	
Cook	Hawkins	Malone	Wilder	
Cooper	Horne	O'Bannon	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1277. To alter, rearrange and extend the corporate limits of the Town of Sulligent, Lamar County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Branyon	Fine	Littleton	Register	
Clark	Foshee	McLain	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1382. Relating to counties having a population of not less than 38,100, nor more than 40,500 according to the last, or any subsequent

federal decennial census, which are levying a franchise, excise or privilege license tax, under the provisions of Act No. 34, 1969, Special Session of the Alabama Legislature, allowing the county governing body to pay certain expenses for the county superintendent, and providing that such provision shall not be mandatory.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Lybrand	Register	
Carr	Foshee	McLain	Shelby	
Cook	Gilmore	Malone	Vacca	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Hawkins	Owen	Wilson	
Dozier	Jones			—25

*Nays:*

—0

The Bill:

H. 1515. To authorize and require the governing body of Covington County to pay annually to the Board of Education of Covington County a lump sum in lieu of providing office quarters and necessary furniture, office equipment, stationery, postage, forms, telephone service and supplies required by the County Superintendent of Education of said county and his assistants; and to authorize and require the County Board of Education to provide such office quarters and necessary furniture, office equipment, stationery, postage, forms, telephone service, supplies, heating and cooling equipment out of the public school funds of Covington County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Givhan	McLain	Register	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

*Nays:*

—0

The Bill:

H. 1573. To repeal Act No. 150, H. 487, Regular Session 1961, approved August 1, 1961, entitled "An Act To apply in all counties having a population of not less than 65,000 nor more than 95,000, according to the last or any subsequent Federal decennial census; to better secure the enforcement of laws in such counties, to further prescribe the duties of the Sheriffs and Solicitors in the enforcement of such laws and to provide for the payment of the expenses incurred in connection therewith."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	O'Bannon
Bailes	Edington	Jones	Pelham
Carr	Fine	Lindsey	Register
Clark	Foshee	Lybrand	Shelby
Cook	Gilmore	McLain	Weaver
Cooper	Hammond	Noonan	Wilson
Dominick	Harris		

—25

Nays:

—0

The Bill:

H. 1574. To repeal Act No. 1226, H. 1502, Regular Session 1969, approved September 13, 1969, entitled "An Act Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, and having county courts composed of two divisions with a judge for each division; prescribing the civil jurisdiction of such courts; and placing certain limitations on the judges thereof."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Owen
Bailes	Fine	Littleton	Pelham
Branyon	Gilmore	McLain	Register
Carr	Givhan	Malone	Shelby
Cooper	Hammond	Noonan	Weaver
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1575. To repeal Act No. 359, S. 519, Regular Session 1967, approved September 5, 1967, entitled "An Act To apply only in counties having populations of not less than 65,000 nor more than 95,000; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Carr	Gilmore	Littleton	Register
Clark	Givhan	McLain	Shelby
Cook	Hammond	Malone	Weaver
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0



## The Bill:

H. 1576. To repeal Act No. 713, H. 1002, Regular Session 1967, approved September 8, 1967, entitled "An Act Applying to all counties having a population of not less than 65,000 nor more than 95,000 according to the last or any subsequent federal decennial census; creating an assistant clerk in certain divisions of the county courts in such counties and providing for the pay thereof."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Register
Carr	Givhan	McLain	Shelby
Clark	Hammond	Malone	Weaver
Cook	Hawkins	O'Bannon	Wilson
Cooper	Horne		

—25

## Nays:

—0

## The Bill:

H. 1577. To repeal Act No. 201, S. 442, Regular Session 1967, approved August 8, 1967, entitled "An Act To apply to all counties having populations of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census: To permit any bank having an authorized office or place of business in any city or town in any such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

## Nays:

—0

## The Bill:

H. 1578. To repeal Act No. 452, H. 1060, Regular Session 1969, approved August 22, 1969, entitled "An Act Relating to counties having populations of not less than 65,000 nor more than 95,000; authorizing the county governing body of any such county and the governing body of any municipality within any such county to contribute public funds for a volunteer rescue squad."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Cook	Givhan	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1579. To repeal Act No. 147, H. 134, Special Session 1971, approved May 11, 1971, entitled "An Act Relating to counties having a population of not less than 65,000 nor more than 68,000 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Register	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Weaver	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1583. Relating to Talladega County; authorizing the county governing body of such county and the governing body of any municipality within such county to contribute public funds for a volunteer rescue squad.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Littleton	Register	
Carr	Gilmore	McLain	Shelby	
Cook	Hammond	Malone	Weaver	
Cooper	Harris	O'Bannon	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 1584. Applying to Talladega County; to fix the travel and maintenance expenses to be allowed circuit court judges when attending the

National College of State Trial Judges at any place not within the State of Alabama and to provide for payment thereof from the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Register	
Carr	Hammond	McLain	Shelby	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

*Nays:* —0

The Bill:

H. 1585. Applying to Talladega County; creating an assistant clerk in certain divisions of the county courts in such county and providing for the pay thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Lybrand	Shelby	
Cook	Givhan	McLain	Weaver	
Cooper	Harris	Noonan	Wilson	
Dozier	Horne			—25

*Nays:* —0

The Bill:

H. 1586. Relating to Talladega County, to permit any bank having an authorized office or place of business in any city or town in such county, upon first obtaining approval of the superintendent of banks, to establish, maintain, and operate additional offices or places of business in such county in towns and cities not less than 600 population, according to the last or any subsequent federal decennial census, except in cities or towns in which a bank is already established.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Clark	Gilmore	Littleton	Register	
Cook	Givhan	McLain	Shelby	
Dominick	Harris	Malone	Weaver	
Dozier	Hawkins	Noonan	Wilson	
Edington	Jones			—25

*Nays:* —0

## The Bill:

H. 1587. Applying to Talladega County; prescribing the civil jurisdiction of the county court of such county; and placing certain limitations on the judges thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Gilmore	Lindsey	Pelham	
Clark	Givhan	Lybrand	Register	
Cook	Harris	McLain	Shelby	
Dominick	Hawkins	Malone	Weaver	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

## Nays:

—0

## The Bill:

H. 1588. Applying to Talladega County; to better secure the enforcement of laws in such county, to further prescribe the duties of the Sheriff and District Attorney in the enforcement of such laws and to provide for the payment of the expenses incurred in connection therewith.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Edington	Lindsey	Pierce	
Branyon	Fine	Lybrand	Register	
Carr	Gilmore	McLain	Shelby	
Cook	Givhan	Malone	Weaver	
Cooper	Hammond	Noonan	Wilson	
Dominick	Hawkins			—25

## Nays:

—0

## The Bill:

H. 1672. Relating to counties having populations of not less than 34,000 nor more than 34,800, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Carr	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Hawkins	Noonan	Wilder	
Cooper	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

## Nays:

—0

The Bill:

H. 1673. To authorize county boards of education in all counties having a population of not less than 34,000 nor more than 34,800, to appoint the superintendent of education for such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Givhan	Lybrand	Register	
Carr	Harris	Malone	Shelby	
Clark	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1674. Relating to counties having populations of not less than 34,000 nor more than 34,800; according to the most recent federal decennial census; providing for the payment or reimbursement by said counties to the members, including the chairman, of the county commission, of their actual expenses incurred in the performance of their duties outside the county, including expenses incurred by them in attending conventions of the National Association of County Commissioners and the Alabama Association of County Commissioners.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Givhan	McLain	Register	
Carr	Harris	Malone	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Cook	Horne	Owen	Wilder	
Dominick	Jones	Pelham	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1675. To authorize the Director of Conservation to open a season in counties having a population of not less than 34,000 nor more than 34,800, for the hunting of female deer or unantlered male deer.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Foshee	King	Pelham	
Branyon	Givhan	Littleton	Pierce	
Carr	Hammond	Lybrand	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne			—25

Nays:

—0

## The Bill:

H. 1742. Relating to all counties having a population of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; to withdraw and take away criminal and quasi-criminal jurisdiction from justices of the peace and notaries public ex officio justice of the peace, and vest such jurisdiction in the County Courts.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Owen	
Branyon	Fine	Lindsey	Pelham	
Clark	Givhan	Littleton	Pierce	
Cook	Hammond	Lybrand	Shelby	
Cooper	Hawkins	Malone	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

## The Bill:

H. 1817. To repeal Act No. 835, H. 1102, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1541), entitled, "An Act Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting law."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Givhan	McLain	Register	
Clark	Hammond	Malone	Shelby	
Cook	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

## The Bill:

H. 1818. To repeal Act No. 834, H. 1101, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1540), entitled, "An Act Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to authorize the county governing bodies of such counties to employ the clerks of the circuit courts in such counties to perform certain duties, and to prescribe such duties and to provide for payment of compensation therefor."

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Littleton	Pierce
Bailes	Foshee	Lybrand	Register
Branyon	Hammond	McLain	Vacca
Carr	Hawkins	Noonan	Weaver
Cook	Horne	O'Bannon	Wilder
Cooper	Jones	Pelham	Wilson
Dozier	King		

—25

*Nays:*

—0

The Bill:

H. 1819. To amend the title and Section 1 of Act No. 119, H. 108, Special Session 1969 (Acts 1969, p. 190), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the disposition and use of such fees, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Lindsey	Pelham
Bailes	Edington	Lybrand	Pierce
Branyon	Foshee	McLain	Shelby
Carr	Givhan	Malone	Vacca
Cook	Hammond	Noonan	Weaver
Cooper	Harris	Owen	Wilson
Dominick	Jones		

—25

*Nays:*

—0

The Bill:

H. 1820. To amend the title and Section 1 of Act No. 515, H. 1135, Regular Session 1965 (Acts 1965, p. 759), which provides further for the payment of an expense allowance to coroners of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Lindsey	Pelham
Bailes	Edington	Littleton	Pierce
Branyon	Foshee	McLain	Shelby
Carr	Givhan	Malone	Vacca
Clark	Harris	Noonan	Wilder
Cook	Horne	Owen	Wilson
Dominick	Jones		

—25

*Nays:*

—0

The Bill:

H. 1821. To amend the title and Section 1 of Act No. 66, H. 32, Special Session 1964 (Acts 1964, p. 87), which regulates the compensa-

tion of election officers in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Owen	
Bailes	Edington	Lindsey	Pierce	
Branyon	Foshee	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilson	
Dominick	Horne			—25

*Nays:* —0

**The Bill:**

H. 1822. To amend the title and Section 1 of Act No. 169, H. 493, Regular Session 1963 (Acts 1963, p. 565), which fixes the compensation of the county or deputy solicitor in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dominick	King	Owen	
Bailes	Edington	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Carr	Hammond	Malone	Register	
Clark	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Weaver	
Cooper	Jones			—25

*Nays:* —0

**The Bill:**

H. 1823. To amend the title and Section 1 of Act No. 836, H. 1103, Regular Session 1969 (Acts 1969, p. 1541), which provides an allowance for the employment of additional clerical assistance by the tax assessors and collectors of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Carr	Givhan	McLain	Register	
Clark	Hawkins	Noonan	Shelby	
Cooper	Horne	O'Bannon	Vacca	
Dominick	Jones	Owen	Wilder	
Dozier	King			—25

*Nays:* —0



The Bill:

H. 1824. To authorize the county commission of counties having populations of not less than 12,700 nor more than 13,100, according to the most recent federal decennial census, to pay, within their discretion, a total amount not to exceed \$800 to private citizens as a result of damages done by county trucks.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Givhan	Lybrand	Shelby	
Carr	Harris	Malone	Weaver	
Clark	<b>Hawkins</b>	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

H. 1825. To repeal Act No. 256, H. 769, approved July 29, 1969, Regular Session 1969 (Acts 1969, p. 588), entitled, "An Act To fix expense allowances of courts of county commissioners, boards of revenue or like governing bodies of all counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This act is in addition to all existing allowances."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Hammond	McLain	Shelby	
Carr	Harris	Noonan	Vacca	
Clark	Horne	O'Bannon	Weaver	
Cook	King	Owen	Wilson	
Dominick	Lindsey			—25

Nays: —0

The Bill:

H. 1837. To authorize the Ex-Officio Clerks of the County Courts, in Counties having a population of not less than 90,000 nor more than 100,000 inhabitants, according to the last or any subsequent Federal decennial Census, to destroy all Files, Shucks, or Envelopes, together with all papers filed therein in all Civil Cases in such Courts after the expiration of eight years from the date of final Judgments, provided that the final Judgments have not been revived within six years from date of such Judgments; but no authority is given herein to destroy the Consolidated Docket and Fee Books Sheets, Final Record Books or the Indices in Such Cases.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Owen	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Cook	Hammond	Lybrand	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

*Nays:* —0

The Bill:

H. 1844. To amend the title and Section 1 of Act No. 370, H. 920, Acts of Alabama, 1969 Regular Session, (Acts of 1969, p. 739) which provided further for the compensation of certain bailiffs in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Foshee	King	Pierce	
Branyon	Givhan	Littleton	Shelby	
Carr	Hammond	Lybrand	Vacca	
Cook	Harris	McLain	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

*Nays:* —0

The Bill:

H. 1849. Relating to all counties having populations of not less than 16,245 nor more than 16,300 according to the most recent federal decennial census; to provide for salaries and source of payment therefor to members of the county commission of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Lybrand	Pierce	
Clark	Givhan	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilder	
Fine	King			—25

*Nays:* —0

The Bill:

H. 2087. Relating to inferior courts in lieu of all justices of the peace in a precinct in all counties having populations of not less than 42,000 nor more than 49,500 according to the most recent federal decen-

nial census; prescribing and regulating the compensation and allowances of the judges of such courts and of the constable serving such courts; and providing for the clerks of the circuit court in such counties to serve as clerks of such inferior courts, prescribing the duties and compensation of such clerks.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Weaver
Cooper	Hammond	Noonan	Wilder
Dominick	Harris	O'Bannon	Wilson
Dozier	Hawkins		

—25

Nays:

—0

The Bill:

S. 795. To provide for the filing for record and the preservation of all orders and Decrees made and entered by any Judge of the Circuit Court in all counties having a population of 500,000 or more according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	O'Bannon
Bailes	Gilmore	Lindsey	Pelham
Carr	Givhan	Littleton	Pierce
Cook	Hammond	Lybrand	Vacca
Cooper	Hawkins	McLain	Weaver
Dominick	Horne	Noonan	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

S. 509. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the further power to levy and collect each year an additional tax of one-half of one per centum based upon the value of the property therein as fixed for state taxation, such additional tax to be levied only when authorized by the qualified electors of said City at an election called for such purpose, the adoption of such amendment not to affect, limit, modify, abridge, or impair the power of such City to levy and collect any special school taxes now vested or hereafter conferred upon it under the Constitution, or any amendment thereto.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Littleton	Pierce
Carr	Gilmore	Lybrand	Shelby
Clark	Hammond	McLain	Vacca
Cook	Hawkins	Noonan	Weaver
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 534. To provide that in any county in the State having a population of 600,000 or more according to the last or any subsequent federal census any person who in payment of any tax issues a worthless check or a check which is not paid by the bank upon which it is drawn shall be subject to a penalty.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Gilmore	Littleton	Pierce
Carr	Givhan	Lybrand	Register
Clark	Hammond	McLain	Vacca
Cook	Harris	Noonan	Weaver
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 535. To amend Section 4 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, Page 1132, et seq.) which fixes, levies and requires the payment of a license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce
Bailes	Gilmore	Lybrand	Register
Carr	Hammond	Malone	Shelby
Clark	Harris	Noonan	Vacca
Cook	Hawkins	Owen	Weaver
Dominick	Jones	Pelham	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 850. To apply only in counties having a population of 500,000 or more according to the last or any succeeding decennial federal census; to authorize any county board of education in such county to provide insurance against loss or damage by fire, lightning, windstorm, hail or other peril, and any or all school buildings or properties, equipment, furniture or supplies stored in such building which belong to said county board or in which such county board has an interest.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Gilmore	Lindsey	Pelham	
Carr	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Vacca	
Dominick	Hawkins	Malone	Weaver	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 1215. Authorizing any water works board of any city having a population of 300,000, or more, according to the last or any subsequent federal census to lease any land owned or controlled by said water works board to any public authority of the same city created under Act No. 215 of the Regular Session of the Legislature of Alabama of 1947, approved July 24, 1947 (Ala. Acts of 1947, p. 81 et seq.), for any consideration agreeable to the water works board and such public authority, and authorizing such water works board to enter into such lease when the only consideration therefor is the benefit accruing from the public use of the land for the purposes for which said Act No. 215 provides such public authority is created, subject to the conditions prescribed by this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1217. To amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts 1965, p. 717 et seq.), as heretofore amended, which said Act established a retirement and pension system for the officers and employees of Jefferson County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	O'Bannon
Bailes	Gilmore	Lindsey	Pelham
Carr	Givhan	Littleton	Pierce
Clark	Hammond	Lybrand	Shelby
Cook	Hawkins	Malone	Vacca
Dominick	Horne	Noonan	Weaver
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 1089. To authorize and make provision for the incorporation in any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such county within which any such Authority proposes to furnish any such service and the governing body of the municipality in such county having the largest population according to the then most recent Federal Decennial Census; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the county by which its incorporation was authorized and by the governing body of the municipality in such county having the largest population according to the then most recent Federal Decennial Census; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which such securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust

indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

was taken up.

Mr. Cook offered the following amendment to the Bill, H. B. 1089, to-wit:

#### AMENDMENT TO HOUSE BILL 1089

Amend House Bill 1089 by adding a new section after Section 21 and before Section 22 to be designated Section 21-A. Said Section 21-A shall read as follows:

Section 21-A. Nothing herein shall be construed to authorize the acquisition by eminent domain of any real property or rights owned or held by railroads or utilities, both public and private.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lybrand	Pierce
Clark	Gilmore	McLain	Register
Cook	Hammond	Malone	Shelby
Dominick	Hawkins	O'Bannon	Vacca
Dozier	Horne	Owen	Wilder
Edington	Jones		

—25

Nays:

—0

And said Bill, H. B. 1089, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Clark	Gilmore	McLain	Register	
Cook	Hammond	Malone	Shelby	
Dominick	Hawkins	O'Bannon	Vacca	
Dozier	Horne	Owen	Wilder	
Edington	Jones			—25

*Nays:*

—0

The Bill:

H. 1395. To provide additional allowances out of the county treasury for clerk hire for temporary or part time clerks or other assistants for certain county officers in all counties having populations of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Lybrand	Pierce	
Carr	Gilmore	McLain	Shelby	
Clark	Givhan	Noonan	Vacca	
Cook	Harris	O'Bannon	Wilder	
Dominick	Horne			—25

*Nays:*

—0

The Bill:

H. 1396. Relating to counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Register	
Carr	Foshee	Lybrand	Shelby	
Cook	Gilmore	McLain	Weaver	
Cooper	Givhan	Malone	Wilder	
Dominick	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

*Nays:*

—0



The Bill:

H. 1397. To authorize the governing bodies of counties having a population of not less than 39,500 nor more than 41,750 according to the 1970 Federal Census to appropriate funds from the Highway Traffic Funds of said counties or other funds in the County treasury for law enforcement purposes in said counties, including the payment of deputy salaries, and to provide for repeal of all laws in conflict therewith.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Noonan
Branyon	Fine	King	Register
Carr	Foshee	Lindsey	Shelby
Cook	Gilmore	Littleton	Vacca
Cooper	Givhan	Lybrand	Wilder
Dominick	Harris	McLain	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1398. To apply only to counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census; providing for the appointment of reserve deputies sheriff; defining said reserve deputies sheriff, and providing for the qualification, authority, duties, compensation, bond and term of office of such reserve deputies sheriff, and providing for the use of county equipment, and liability of sheriff for acts of said reserve deputies sheriff.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Harris	McLain	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1227. Relating to Morgan County; to provide further for the type of newspaper in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published in Morgan County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Harris	McLain	Weaver	
Cook	Horne	Malone	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1228. Relating to Morgan County; fixing the fee for issuance of pistol permits by the Sheriff and providing for distribution and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pierce	
Bailes	Fine	Littleton	Shelby	
Branyon	Foshee	McLain	Vacca	
Carr	Gilmore	Malone	Weaver	
Cook	Givhan	Noonan	Wilder	
Cooper	Harris	Owen	Wilson	
Dominick	Horne			—25

Nays:

—0

The Bill:

H. 1401. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Prichard in Mobile County, Alabama, by removing certain areas from the limits of the City of Prichard and adding same to the limits of the City of Chickasaw, and to describe the areas so removed from the City of Prichard and so added to the City of Chickasaw.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Register	
Branyon	Gilmore	Littleton	Shelby	
Carr	Givhan	Lybrand	Vacca	
Cook	Harris	McLain	Weaver	
Cooper	Horne	Noonan	Wilder	
Dominick	Jones	Pelham	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1402. To alter, rearrange and add to the limits of the City of Prichard in Mobile County, Alabama, and to alter and rearrange the limits of the City of Chickasaw in Mobile County, Alabama, by removing certain area from the limits of the City of Chickasaw and add-

ing same to the limits of the City of Prichard, and to describe the area so removed from the City of Chickasaw and so added to the City of Prichard.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Edington	Lindsey	Register	
Branyon	Foshee	Littleton	Shelby	
Carr	Harris	Lybrand	Vacca	
Clark	Hawkins	McLain	Wilder	
Cook	Horne	Noonan	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

H. 1403. To alter, extend and add to the limits of the City of Chickasaw in Mobile County, Alabama so as to include within the corporate limits of said city certain other territory in Mobile County, Alabama, contiguous to said city and to describe the area so added to the said limits of the City of Chickasaw.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Cook	Hammond	Noonan	Wilder	
Cooper	Harris	Pelham	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

S. 506. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	Jones	Pelham	
Carr	Fine	King	Pierce	
Clark	Gilmore	Littleton	Shelby	
Cook	Hammond	Lybrand	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins			—25

Nays: —0

## The Bill:

S. 1010. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Edington	King	Pierce	
Branyon	Fine	Lindsey	Shelby	
Carr	Foshee	Littleton	Vacca	
Clark	Gilmore	McLain	Wilder	
Cook	Hammond	O'Bannon	Wilson	
Cooper	Harris			—25

Nays: —0

## The Bill:

S. 1011. Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Horne	O'Bannon	
Bailes	Edington	King	Pierce	
Branyon	Fine	Lindsey	Shelby	
Carr	Foshee	Littleton	Vacca	
Clark	Gilmore	McLain	Weaver	
Cook	Hammond	Noonan	Wilson	
Dominick	Harris			—25

Nays: —0

## The Bill:

S. 1012. To authorize and make provision for the incorporation in any county having a population of not less than 175,000 nor more than 300,000, according to the last or any subsequent federal decennial census, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and

facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such authority to be organized, application be made to the governing body of the county in which such authority is to be organized and to the governing body of at least one municipality therein and that permission for organization of such authority be granted by each such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that the county in which any authority has been organized and each municipality which duly authorized the organization of such authority may aid and cooperate in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking, acquisition, construction and operation of airports and airport facilities of an authority organized pursuant to this act; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agent, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence and by foreclosable mortgage on any property of such authority whether then in existence and thereafter acquired; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which such authority is organized and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Shelby
Carr	Givhan	McLain	Vacca
Clark	Harris	Noonan	Wilder
Cook	Horne	Owen	Wilson
Cooper	Jones		

—25

Nays:

—0

The Bill:

S. 1013. To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Pierce
Branyon	Foshee	Lindsey	Register
Clark	Givhan	Littleton	Vacca
Cook	Harris	McLain	Weaver
Cooper	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

Nays:

—0

The Bill:

S. 1014. To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Carr	Foshee	Lindsey	Shelby
Clark	Givhan	Littleton	Vacca
Cook	Harris	McLain	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Horne		

—25

Nays:

—0

## The Bill:

S. 1015. To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Pierce	
Carr	Gilmore	Lindsey	Shelby	
Cook	Givhan	Littleton	Vacca	
Cooper	Harris	McLain	Weaver	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

S. 1016. Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Shelby	
Carr	Hammond	McLain	Vacca	
Clark	Harris	Noonan	Wilder	
Cook	Horne	Owen	Wilson	
Dominick	Jones			—25

## Nays:

—0

## The Bill:

S. 1017. Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Edington	Lindsey	Register	
Branyon	Gilmore	Littleton	Shelby	
Carr	Givhan	McLain	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dominick	Jones			—25

## Nays:

—0

## The Bill:

S. 1018. Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Edgington	King	Pelham
Carr	Fine	Lindsey	Register
Clark	Foshee	Littleton	Vacca
Cook	Harris	McLain	Wilder
Cooper	Hawkins	Noonan	Wilson
Dominick	Horne		

—25

## Nays:

—0

## The Bill:

S. 1019. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dominick	Jones	Owen
Bailes	Dozier	King	Pierce
Branyon	Edgington	Lindsey	Shelby
Carr	Fine	Littleton	Vacca
Clark	Foshee	McLain	Weaver
Cook	Harris	Noonan	Wilson
Cooper	Horne		

—25

## Nays:

—0

## The Bill:

S. 1020. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Shelby	
Carr	Gilmore	McLain	Weaver	
Cook	Hammond	Noonan	Wilder	
Cooper	Harris	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 1021. To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Gilmore	Littleton	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Harris	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 1022. To apply only in counties in the state having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce	
Branyon	Foshee	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	McLain	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 1023. To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	McLain	Shelby	
Cooper	Givhan	Noonan	Weaver	
Dominick	Hammond	O'Bannon	Wilder	
Dozier	Hawkins			—25

Nays: —0

The Bill:

S. 1024. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Carr	Foshee	Littleton	Pierce	
Clark	Gilmore	McLain	Register	
Cooper	Givhan	Noonan	Weaver	
Dominick	Hammond	O'Bannon	Wilder	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 1025. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Littleton	Pierce	
Carr	Foshee	Lybrand	Register	
Clark	Gilmore	Noonan	Vacca	
Cook	Givhan	O'Bannon	Weaver	
Cooper	Harris	Owen	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

S. 1061. Relating to Wilcox County; to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Hammond	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Clark	Horne	O'Bannon	Weaver	
Cooper	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1030. Relating to judicial procedure in the Thirty-Fifth Judicial Circuit; regulating and providing further for the separation of the jury by consent in felony cases in such circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Carr	Givhan	Lybrand	Shelby	
Clark	Harris	McLain	Vacca	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Horne			—25

Nays:

—0

**The Bill:**

H. 1031. To regulate further the excusing of persons from jury service in the Thirty-Fifth Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Horne	Owen
Bailes	Fine	King	Pierce
Branyon	Foshee	Littleton	Shelby
Carr	Gilmore	Lybrand	Weaver
Clark	Givhan	Malone	Wilder
Cooper	Hammond	Noonan	Wilson
Dozier	Harris		

—25

**Nays:**

—0

**The Bill:**

H. 1032. To allow prospective jurors in capital cases to be excused without the presence of the defendant in the Thirty-Fifth Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Foshee	McLain	Shelby
Carr	Givhan	Malone	Vacca
Clark	Hammond	Noonan	Weaver
Cooper	Hawkins	Owen	Wilson
Dozier	Horne		

—25

**Nays:**

—0

**The Bill:**

H. 1377. To repeal Act No. 296, H. 506, approved August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 413) entitled, "An Act Relating to counties having populations of not less than 17,400 nor more than 17,800; to provide clerical assistants for the office of the judge of probate of such counties, and to provide a clerk hire allowance for such county judges of probate, payable out of the general funds of the county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	Lindsey	Pierce
Bailes	Foshee	Littleton	Register
Branyon	Gilmore	McLain	Vacca
Carr	Givhan	Malone	Weaver
Clark	Hammond	Noonan	Wilder
Cooper	Harris	O'Bannon	Wilson
Dozier	Horne		

—25

**Nays:**

—0

The Bill:

H. 1378. To repeal Act No. 241, H. 441, approved, August 15, 1963, Regular Session 1963 (Acts of Alabama 1963, p. 652) entitled, "An Act To provide further for the compensation of the county or deputy solicitor in all counties having populations of not less than 17,400 nor more than 17,800, according to the last or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Owen
Branyon	Foshee	Littleton	Pelham
Carr	Gilmore	McLain	Register
Clark	Givhan	Malone	Shelby
Cooper	Harris	Noonan	Weaver
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1379. To repeal Act No. 356, H. 897, approved, August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 494) entitled, "An Act To provide the tax assessors of counties having populations of not less than 17,400 nor more than 17,800 an allowance for clerical assistance, such allowance to be payable out of the general funds of the county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Gilmore	Lybrand	Register
Branyon	Hammond	McLain	Vacca
Carr	Harris	O'Bannon	Weaver
Clark	Horne	Owen	Wilder
Cooper	Jones	Pelham	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 536. To authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct off-street parking facilities, including real property therefor, within 350 feet of a county courthouse, to provide parking for public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having business with such county and with public officials having offices in the courthouse, to operate or lease to others such off-street parking facilities, to levy and collect or to fix charges and fees for the use of such off-street parking facilities and to accept grants with respect to such facilities, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall

be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facilities shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following substitute for the Bill, H. B. 536, to-wit:

#### SUBSTITUTE FOR HOUSE BILL 536

#### A BILL TO BE ENTITLED AN ACT

To authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 350 feet of the county courthouse, to provide parking for public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having business with such county and with public officials having offices in the courthouse, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy and collect or to fix charges and fees for the use of such off-street parking facility and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required.

Be It Enacted by the Legislature of Alabama:

Section 1. Definition of Terms. The following terms, whenever used in this Act, shall have the following respective meanings unless the context clearly indicates otherwise:

"County" means any county in the State having a population of 500,000 or more according to the last or any succeeding Federal census.

"Governing Body" means the county commission or other governing body of the County, however constituted, and the successor or successors to such governing body.

"Motor Vehicles" means automobiles, trucks, motorcycles and other vehicles used for transportation of persons.

"Off-street Parking Facility" means and includes the real property, garages, ramps, decks and structures for one area for the parking and storage of Motor Vehicles, and any extensions, improvements and additions to such one facility; provided that the entire area of the facility, extensions, improvements and additions is located within 350 feet of the courthouse of the County.

"Refunding Securities" means any bonds, certificates of indebtedness, interest bearing warrants or other securities issued or to be issued for the purpose of refunding any Securities issued under the provisions of this Act.

"Securities" means bonds issued with the election required by the Constitution or certificates of indebtedness, interest bearing warrants or other obligations issued without an election.

"State" means the State of Alabama.

Section 2. Legislative Findings and Intent. The Legislature hereby recognizes and finds as a fact: that in the larger counties of the State the use of Motor Vehicles has increased; that the parking of Motor Vehicles in the streets has contributed to the congestion of traffic in and around the courthouses and public buildings of the County; that public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having offices in such courthouses are hampered, impeded and delayed by reason of the difficulty of locating parking spaces for their Motor Vehicles; that off-street parking facilities sufficient to provide for the parking of the Motor Vehicles of such officials, employees and courthouse users are not presently available; that the parking spaces now existing should be forthwith supplemented by one additional Off-street Parking Facility to be provided by the County as an adjunct to the courthouse of the County. This Act shall apply only in and to a County and shall authorize only one Parking Facility.

Section 3. Acquisition of Real Property and Parking Facilities. The Governing Body of the County shall have authority in the name of the County: to acquire by gift, purchase or lease, one Off-street Parking Facility within 350 feet of the courthouse of the County, to acquire by condemnation the real property within 350 feet of any courthouse of the County for such Off-street Parking Facility, even though presently used for ground level off-street parking, provided that a multideck Off-street Parking Facility is to be constructed thereon by the County; to construct or cause to be constructed on any real property owned or acquired by the County within 350 feet of the courthouse of the County the Off-street Parking Facility; to own and operate the Off-street Parking Facility for the convenience of those employed or having business in the courthouse; to make or provide a schedule of fees or charges for the use of the Off-street Parking Facility of the County; to lease the Off-street Parking Facility of the County to any person, firm or corporation for the operation of such facility under a lease, contract or agreement between the County and such person, firm or corporation; to prescribe fees and charges which the lessee or operator may be required to collect for parking Motor Vehicles in the Off-street Parking Facility of the County; to make and enforce rules and regulations governing the use of the Off-street Parking Facility of the County; to receive and accept grants or donations of money or property or services, for or in aid of the construction, extension, improvement, maintenance or operation of the Off-street Parking Facility from the United States of America or any agency thereof, or from the State, any agency thereof or any political subdivision thereof or from any other source; and to do any and all things necessary or convenient for the exercise of any power herein granted.

**Section 4. Securities to Finance Off-street Parking Facilities.** For the purpose of financing the acquisition and/or construction of the Off-street Parking Facility, including the acquisition of land and a site therefor, the extension and improvement thereof and additions thereto, the Governing Body is hereby authorized to cause to be issued, sold and delivered on behalf of the County any Securities to the extent of its constitutional debt limit, which shall evidence the general obligation indebtedness of the County by which they are issued, and to the payment of the principal of and interest on which the full faith and credit of the County shall be irrevocably pledged. Any Securities issued under this Act may be additionally secured by one or more of the following: (a) a pledge and assignment of a sufficient amount of the proceeds of one or more taxes which are levied by the Governing Body or by the Legislature and which are paid in whole or in part to or for the use of the County; (b) a pledge and assignment of the rent, fees or charges to be paid to the County for the use of its Off-street Parking Facility; (c) a mortgage or indenture of trust on the Off-street Parking Facility of the County. Any such mortgage may be forecloseable under power of sale or judicial proceedings in the event of any default in the payment of the principal of or interest on any Securities or the failure to perform any covenant or agreement contained in the mortgage or indenture of trust or in the resolution authorizing the issuance of the Securities. No tax pledged to the payment of any Securities shall be so altered, amended, modified or repealed, either by the Governing Body or by the Legislature, as to provide less tax revenue available for the payment of the principal of or interest on such Securities, so long as they remain outstanding; and this obligation shall constitute a contract between the County and the State and the holders from time to time of the Securities. Such Securities may be in such denomination or denominations, mature at such time or times, not exceeding twenty years from their date, may be redeemable at the option of the County or upon the happening of specified conditions, at such time or times prior to maturity, with or without premium, may bear interest from their date at such rate or rates, payable at such time or times, payable as to principal and interest at such place or places, within or without the State, may be sold at such time or times, may be executed in such manner and may contain such provisions not in conflict with any of the other provisions of this Act, all as the Governing Body may provide in the proceedings authorizing the issuance of such Securities.

**Section 5. Refunding Securities.** Any County which has issued any Securities pursuant to the provisions of this Act may in like manner from time to time issue Refunding Securities either by sale or by exchange, for the purpose of refunding any matured or unmatured Securities then outstanding which were issued under the provisions of this Act; provided that the aggregate principal amount of any issue of Refunding Securities shall not exceed the principal amount of Securities to be refunded thereby, accrued interest thereon and any premium which it may be necessary to pay in order to redeem or retire the Securities to be refunded, and the expense of issuing the Refunded Securities. Any Refunding Securities may contain the provisions permitted by and shall comply with the requirements of Section 4 of this Act. The purchase and deposit in trust of obligations of the United States of America or certificates of deposit of banks which are members of the Federal Deposit Insurance Corporation collaterally secured by a pledge of obligations of the United States of America sufficient to pay the principal of and interest on the Securities to be refunded as they mature and come due or the redemption price thereof shall be considered as the refunding of such Securities. Except as otherwise specifically provided in this Act, the provisions of this Act applicable to the Securities so refunded shall likewise be applicable



to such Refunding Securities. One or more issues of Refunding Securities may be combined with one or more issues of Securities.

Section 6. Public Sale of Securities. All Securities and Refunding Securities authorized to be issued under the provisions of this Act, except Refunding Securities exchanged for then outstanding Securities, shall be sold at public sale in the manner required by the provisions of Section 259, Title 37, Alabama Code of 1940, as amended, for the sale of county bonds.

Section 7. Use of Proceeds of Securities. The proceeds derived from the sale of any Securities or Refunding Securities shall be used solely for the purpose for which they are authorized to be issued, including the payment of any expenses incurred in connection with the issuance thereof and interest on Securities issued for construction or acquisition, but not for refunding, for a period not exceeding 18 months from the date of sale and delivery thereof; provided, however, that none of such proceeds may be used for the payment of any fiscal or other fee or commission for effecting a sale of any Securities or advice, other than legal advice, with respect to the manner and terms of sale of any Securities.

Section 8. Securities to be Legal Investments for Fiduciary Funds, Banks and Insurance Companies. Securities or Refunding Securities issued pursuant to the provisions of this Act shall be legal or authorized investments for executors, administrators, trustees and other fiduciaries and for banks and insurance companies organized under the laws of the State.

Section 9. Exemption from Taxation. All Securities and Refunding Securities and the interest thereon shall be exempt from all income, ad valorem and other taxation. Any mortgage or indenture of trust under which Securities or Refunding Securities are issued shall be exempt from recording and other taxes. Any lease of the Off-street Parking Facility shall be exempt from all property, recording and other taxes.

Section 10. Inconsistent Laws Inapplicable. Insofar as the provisions of this Act may be inconsistent with the provisions of any other law, the provisions of this Act shall control. It is specifically declared that the provisions of Chapter 6, Title 12, Alabama Code of 1940, shall not limit or restrict the issuance by the Governing Body of certificates of indebtedness or interest bearing warrants issued under the provisions of this Act.

Section 11. Issuance of Warrants Deemed to Constitute Audit and Allowance of Claim. The issuance of interest bearing warrants and any interest coupons applicable thereto pursuant to the provisions of this Act, in accordance with the authorization of the Governing Body, shall be deemed to constitute an audit and allowance by such Governing Body of a claim against the County, its general fund and the proceeds of any tax or taxes, and any rent, revenue or income pledged to the payment of such warrants and against any property mortgaged to secure the payment of such Securities, in the aggregate principal amount of such warrants and the interest coupons applicable thereto. No other approval, registration, audit or allowance of such claim shall be required and such warrants and interest coupons shall be held to be allowed claims against the County by which they were issued and against the proceeds of any such tax or taxes and any rent, revenue or income pledged therefor and any property mortgaged as security therefor from and after the date of the lawful issue of such warrants and coupons.

Section 12. Severability. If any clause, provision or section of this Act shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other clause, provision or section hereof.

Section 13. Effective Date. This Act shall become effective upon its passage and approval by the governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Carr	Givhan	McLain	Register	
Clark	Harris	Noonan	Shelby	
Cook	Hawkins	O'Bannon	Vacca	
Dominick	Jones	Owen	Wilder	
Edington	King			—25

Nays: —0

And said Bill, H. B. 536, as amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Gilmore	Littleton	Pelham	
Clark	Givhan	Lybrand	Pierce	
Cook	Harris	Malone	Shelby	
Dominick	Hawkins	Noonan	Vacca	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones			—25

Nays: —0

The Bill:

H. 782. To amend Section 73, Title 29, Code of Alabama, 1940, prescribing the sites which are unlawful for the establishment of liquor stores and other sites which are unlawful for the sale of alcoholic beverages, and providing further for any county having a population of five hundred thousand or more.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following substitute for the Bill, H. B. 782, to-wit:

#### SUBSTITUTE FOR H. B. 782

#### A BILL TO BE ENTITLED AN ACT

To amend Section 73, Title 29, Code of Alabama, 1940, prescribing the sites which are lawful for the establishment of liquor stores and

other sites which are unlawful for the sale of alcoholic beverages, and providing further for any county having a population of five hundred thousand or more, and for any city having population more than twenty thousand and less than thirty thousand located in such county, all according to the last or any subsequent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 73, Title 29, Code of Alabama of 1940, is hereby amended so as to read as follows:

"Section 73. Unlawful sites for liquor stores. It shall be unlawful to locate any State liquor store within one mile of the boundary of the campus or grounds of any state teachers college or any institution of higher learning or of any eleemosynary institution in this state, unless such store is within four hundred feet of the court house, and it shall be unlawful to sell any intoxicating, spirituous, vinous, malt liquors or beverages or wine or beer in any establishment located within one mile of the boundary of the campus grounds of such institution or college, unless such establishment is within four hundred feet of the court house; provided, however, the provisions of this section shall not apply to or be operative within the limits of any county having a population of five hundred thousand, or more, except as provided in the next following sentence, or within the corporate limits or the police jurisdiction of cities having a population of more than fifty thousand, according to the last federal census, or which shall have such population according to any federal census which may be taken hereafter; and provided, further, within the corporate limits of any city having population of more than twenty thousand and less than thirty thousand which city is located within a county having a population of five hundred thousand, or more, all according to the last or any subsequent federal decennial census, the foregoing provisions of this sentence shall not apply but in lieu thereof the provisions of the next following sentences shall apply. Within the corporate limits of any city having population of more than twenty thousand and less than thirty thousand which city is located within a county having a population of five hundred thousand, or more, all according to the last or any subsequent federal decennial census, it shall be unlawful to locate any State liquor store within four thousand two hundred feet of the principal administration building of any state teachers college or any institution of higher learning or of any eleemosynary institution in this state, unless such store is within four hundred feet of the court house, and it shall be unlawful to sell any intoxicating, spirituous, vinous, malt liquors or beverages or wine or beer in any establishment located within four thousand two hundred feet of the principal administration building of such institution or college, unless such establishment is within four hundred feet of the court house. Notwithstanding anything to the contrary contained above in this section, the removal or relocation of the said principal administration building of such institution or college to a new location shall not make unlawful the sale of intoxicating, spirituous, vinous, malt liquors or beverages or wine or beer in any place of business where, prior to the removal or relocation of said principal administration building, the sale of said liquors, beverages, wine or beer was not violative of the provisions of this section.

Section 2. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Gilmore	Lybrand	Pierce	
Cook	Givhan	McLain	Register	
Cooper	Hammond	Malone	Vacca	
Dominick	Harris	Noonan	Weaver	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

Nays: Bailes, Hawkins —2

And said Bill, H. B. 782, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Branyon	Gilmore	Lybrand	Pierce	
Cook	Givhan	McLain	Register	
Cooper	Hammond	Malone	Vacca	
Dominick	Harris	Noonan	Weaver	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 1262. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following substitute for the Bill, H. B. 1262, to-wit:

#### SENATE SUBSTITUTE FOR H. B. 1262

#### A BILL TO BE ENTITLED AN ACT

To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, page 120, et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama; to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 95 adopted by the 1965 Regular Session of the Legislature of Alabama, (Alabama Acts, 1965, page 120, et seq.) is hereby amended by adding thereto the following sections:

"Section 44. In all criminal cases in the Criminal Court of Jefferson County wherein the defendant is charged with a felony, a judge of this court shall, before preliminary examination, in all the cases wherein a preliminary examination is to be held, ascertain from the accused, or otherwise:

"(a) whether or not the defendant has arranged to be represented by and have the assistance of counsel;

"(b) whether or not the defendant desires assistance of counsel;

"(c) whether or not the defendant is able financially or otherwise to obtain the assistance of counsel."

"Section 45. If it appears to a judge of this court that a defendant is charged with a felony and does not expressly waive the right to assistance of counsel, the defendant is not able financially or otherwise to obtain the assistance of counsel, the judge shall appoint counsel to represent and assist the defendant at the preliminary examination, and it shall be the duty of such counsel, as an officer of the court and as a member of the Bar to represent and assist the said defendant."

"Section 46. Counsel appointed in such cases shall be entitled to receive for services rendered a fee of \$25.00 in each case.

Within a reasonable time after the close of the preliminary examination, or after any other disposition of the case, counsel shall submit to the judge of this court a bill for services rendered not to exceed the amount herein provided and such bill if approved by the judge shall be submitted by the Clerk of this Court to the County Treasurer of Jefferson County, Alabama, and the County Treasurer shall pay said bill out of monies in the general fund of Jefferson County, Alabama."

"Section 47. In order to ascertain whether or not a defendant is in fact indigent as required by this Act, the judge may order the Sheriff, the District Attorney, or any Parole or Probation Officer to investigate the fact of indigent and file a report respecting said fact with the court."

"Section 48. It shall be unlawful for any Warden of any County or Municipal jail or the Clerk of any court in such County if such Court has criminal or quasi-criminal jurisdiction to accept either an appearance bond or an appeal bond for any person charged with the violation of a state statute or municipal ordinance unless such Warden or Clerk shall first receive from the person filing such bond an amount equal to one percent of the face amount of the said bond. This amount shall be represented by stamps issued by such county and purchased from the County by the person filing such bond and said stamps shall be affixed to said bond.

The one percent fee charged on all said bonds shall be in addition to any and all fees or licenses now or hereafter charged by any such county or any municipality located in such county. This one percent fee must be paid by the person executing said bond as the surety thereon and cannot be paid by the defendant. If the defendant is permitted by competent authority to execute his own bond without any surety there will be no one percent fee charged as provided by this Act.

This Section places a tax on any person other than the defendant who in any capacity executes an appearance or appeal bond in any court in such county having jurisdiction over violations of state statutes or municipal ordinances. Said tax to be in an amount equal to one percent (1%) of the face amount of such bond.

"Section 49. The provisions of Sections 44, 45, 46, 47 and 48 shall also apply in the Bessemer Cutoff County Court.

Section 2. All laws or parts of law in conflict with the provisions of this Act are hereby repealed.

Section 3. In the event any section, sentence, clause or provision of this Act shall be declared invalid by any court of competent jurisdiction, such action shall not affect the validity of the remaining section, sentence, clause or provision of this Act, which shall continue effective.

Section 4. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

And said Bill, H. B. 1262, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	McLain	Vacca	
Cook	Givhan	Malone	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 783. To provide for the appointment and employment of law students to serve as Law Clerks for the Circuits Judges in counties of this State having a population of not less than 600,000 according to the last or any subsequent Federal census; to define eligibility for appointment; and to fix the salary of such Law Clerk;

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 783, to-wit:

## AMENDMENT TO H. B. 783

Amend House Bill No. 783 by striking Section 1. and inserting in lieu thereof, the following:

Section 1. Each Circuit Judge may in any such county, at his option, appoint and employ a law student, as hereafter defined, or a bailiff, in the place of any regular bailiff now authorized by law where a vacancy exists, to do and perform the duties of law clerk and bailiff and to do and perform such other duties as may be assigned to said student by Circuit Judge.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

And said Bill, H. B. 783, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pierce	
Branyon	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Vacca	
Cook	Hammond	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Horne			—25

Nays: —0

The Bill:

H. 1380. To repeal Act No. 295, H. 505, approved August 10, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 412) entitled, "An Act To provide an additional clerical allowance to the circuit clerk of all counties having populations of not less than 17,400 nor more than 17,800, such allowance to be payable out of the general funds of the county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham	
Bailes	Gilmore	McLain	Pierce	
Branyon	Hammond	Malone	Register	
Carr	Harris	Noonan	Shelby	
Clark	Horne	O'Bannon	Wilder	
Cooper	Jones	Owen	Wilson	
Dozier	King			—25

Nays: —0

## The Bill:

H. 794. To amend Act No. 405 of the Regular Session of the Legislature of Alabama of 1967, approved September 7, 1967, (Ala. Acts, 1967, p. 1021 et seq.) which levied in each county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, a privilege or license tax upon persons engaged in the business of selling personal property or conducting places of amusement or entertainment, generally paralleling the State sales tax, and an excise tax on the storage, use or consumption in said county of tangible personal property purchased at retail, generally paralleling the State use tax.

Was read a third time at length and passed.

Yeas 25; Nays 1.

## Yeas:

Messrs.:	Fine	Littleton	Pierce
Bailes	Gilmore	McLain	Register
Carr	Hammond	Malone	Vacca
Cook	Harris	O'Bannon	Weaver
Cooper	Horne	Owen	Wilder
Dominick	Jones	Pelham	Wilson
Edington	King		

—25

Nay: Mr. Hawkins

—1

## The Bill:

H. 846. To regulate the handling, control, custody and disposition of all official or trust funds by clerks or deputy clerks or registers in chancery who also serve as deputy clerks of the circuit court in counties in this state having a population of 500,000 or more according to the last or any subsequent Federal census; to provide that the county commission or like governing body in such counties shall name the depositories to receive such funds, and may provide that any of such funds may be invested; to provide that such circuit clerks or deputy clerks or registers in chancery who also served as deputy clerks shall be relieved from personal liability for any loss by reason of the failure of any depository designated by the aforesaid county commissions or like governing body; that such clerks or deputy clerks or registers in chancery who also serve as deputy clerks of the circuit court shall disburse such funds in accordance with the judgments, orders and decrees of any judge of the circuit court sitting in and for such counties; that any clerk or deputy clerk or register in chancery who also serves as deputy clerk of the circuit court who fails to comply with the provisions of this Act shall be guilty of wilful neglect of duty; that all laws or parts of laws, local, special or general, in conflict with this Act are hereby repealed.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Gilmore	Littleton	Register
Carr	Givhan	McLain	Shelby
Clark	Hammond	Noonan	Vacca
Cook	Harris	O'Bannon	Weaver
Dominick	Hawkins	Pelham	Wilson
Dozier	King		

—25

Nays:

—0



The Bill:

H. 1025. To amend Act No. 22 of the Second Special Session of 1956, approved March 23, 1956 (Ala. Acts, Special Sessions of 1956, Page 290 et seq.), relating to deductions from salary and rights and benefits and pensions and relief of members and former members of the Fire Department of the City of Birmingham and their existing and former dependents under Act No. 307 of the Regular Session of the Legislature of Alabama of 1943, approved June 28, 1943 (General Acts Alabama 1943, page 264) and the predecessors of said Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Gilmore	Littleton	Register	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Hawkins	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

H. 1029. Relating to counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; providing for the limited cancellation of sales agreements resulting from solicitation at the residence of the buyer, and providing procedures for and remedies of cancellation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pierce	
Bailes	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Hammond	Noonan	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Pelham	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

H. 1084. To amend Sections 1, 3, 6 and 7 of Act Number 453 of the 1967 Regular Session of the Legislature of Alabama (1967 Acts of Alabama, Page 1129, et seq.), entitled "An Act to create in each city of the State of Alabama having a population of three hundred thousand or more according to the last or any subsequent federal census a pension and relief fund for officers and employees of the library board of such city, and for the widows and dependents of such officers and employees, to provide for a custodian of such fund, and to provide for the investment, protection, management and distribution of such fund by a board of managers created for such purpose."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon	
Bailes	Edington	Lindsey	Pelham	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Hawkins	Noonan	Wilder	
Dominick	Jones			—25

Nays:

—0

The Bill:

H. 1086. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a policeman's pension system for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241, et seq.), as heretofore amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Clark	Harris	Malone	Shelby	
Cook	Hawkins	O'Bannon	Vacca	
Dominick	Jones	Owen	Wilder	
Edington	King			—25

Nays:

—0

The Bill:

H. 1087. To amend the Title and Section 1 of Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Acts of Alabama of 1959, page 1376, et seq) which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief or Retirement and Relief System established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama of 1951, page 1579, et seq) as amended, and on whose account or for whose benefit the city by whom they are employed makes no contribution or pays no tax to the United States of America under the Federal Social Security Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Foshee	King	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Vacca	
Cook	Harris	McLain	Weaver	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 1088. To amend Section 4 of Act No. 100 of the 1964 1st Special Session of the Legislature of Alabama (Acts of Alabama, 1st and 2nd Special Sessions 1964, page 157) entitled "An Act to apply in and only in each city in this state having a population of 300,000 or more, according to the last or any subsequent decennial federal census; to provide for the creation of the office of City Magistrate and the appointment of City Magistrates; to define the qualifications, powers and duties of City Magistrates; and to provide for search warrants and warrants of arrest."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Pelham
Bailes	Gilmore	Lybrand	Pierce
Carr	Hammond	McLain	Register
Clark	Harris	Noonan	Vacca
Cook	Hawkins	O'Bannon	Weaver
Dominick	Jones	Owen	Wilder
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1216. To provide for and submit to the qualified electors of the State of Alabama an amendment to the Constitution of said State providing that the City of Mountain Brook, Jefferson County, shall have, in addition to the power to levy and collect ad valorem tax each year at the rate authorized immediately prior to the adoption of this amendment, the further power to levy and collect each year an additional tax of one-half of one per centum based upon the value of the property therein as fixed for state taxation, such additional tax to be levied only when authorized by the qualified electors of said City at an election called for such purpose, the adoption of such amendment not to affect, limit, modify, abridge, or impair the power of such City to levy and collect any special school taxes now vested or hereafter conferred upon it under the Constitution, or any amendment thereto.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Gilmore	Lybrand	Register
Cook	Hammond	McLain	Vacca
Dominick	Harris	Noonan	Weaver
Dozier	Hawkins		

—25

Nays:

—0

The Bill:

H. 1261. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) establishing the "Criminal Court of Jefferson County," as heretofore amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edgington	Jones	O'Bannon
Bailes	Fine	King	Pierce
Carr	Gilmore	Lindsey	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Harris	McLain	Wilder
Dominick	Hawkins	Malone	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1390. To further amend Subsection (a) of Section 12 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951 page 1579, et seq) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children: to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham
Bailes	Gilmore	Lybrand	Pierce
Branyon	Hammond	McLain	Register
Clark	Harris	Noonan	Shelby
Cook	Hawkins	O'Bannon	Vacca
Dominick	Jones	Owen	Wilder
Dozier	King		

—25

Nays:

—0

The Bill:

H. 1406. To propose an Amendment of Amendment CCXXXIX of the Constitution of Alabama of 1901, providing for the creation of fire protection or garbage and trash disposal districts in Jefferson County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pierce
Bailes	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Shelby
Clark	Hammond	McLain	Vacca
Cook	Hawkins	Malone	Wilder
Dominick	Horne	Owen	Wilson
Edgington	Jones		

—25

Nays:

—0

## The Bill:

H. 1407. To authorize any fire district in Jefferson County, Alabama, created under Act No. 79 of the Special Session of the Legislature of Alabama of 1966 (Ala. Acts, Special Session 1966, p. 106 et seq.), hereinafter called "Fire District", and any municipality to enter into contracts providing for either party, or both parties, to any such contract to make its fire equipment, or facilities, and its services, in preventing or fighting fires, available to the other party; to authorize any district to enter into a contract with any person providing for the district to make its facilities, or equipment, and its services available to such person or such person's property; and to provide that in executing or performing any contract provided for by this act the district shall be engaged in a governmental function, and that governmental immunity from liability shall apply.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Carr	Harris	McLain	Vacca	
Cook	Hawkins	Malone	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

## The Bill:

H. 1408. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966 (Ala. Acts, Special Session of 1966, p. 106 et seq.), as heretofore amended, providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Gilmore	Littleton	Pierce	
Bailes	Hammond	McLain	Register	
Clark	Harris	Malone	Shelby	
Cook	Hawkins	O'Bannon	Vacca	
Dominick	Jones	Owen	Wilder	
Dozier	King	Pelham	Wilson	
Fine	Lindsey			—25

Nays: —0

## The Bill:

H. 1519. To create and establish a court in Jefferson County with limited jurisdiction with the Circuit Court for the limited purpose of disposing of non-capital felony criminal cases on an information, before indictment, under Title 15, Article 8 of Chapter 11 of the Code of Alabama of 1940 as recompiled in 1958, and to act on matters pertaining to probation in such cases; to provide for the officers of such court and to fix their duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Carr	Gilmore	Lybrand	Register
Clark	Hammond	McLain	Vacca
Cook	Harris	Noonan	Weaver
Dominick	Hawkins	O'Bannon	Wilder
Dozier	Horne		

—25

Nays:

—0

The Bill:

H. 1525. To provide that when any vacancy occurs on the governing body of any county of this State having a population of 500,000, or more, according to the last or any subsequent Federal census, a special election shall be held under the provisions of Chapter 19, Title 17, Code of Alabama of 1940, subject to the changes in the provisions of said Chapter 19, as are provided for by this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Gilmore	Lindsey	Register
Carr	Givhan	Lybrand	Vacca
Clark	Hammond	Noonan	Weaver
Cook	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Edington	Jones		

—25

Nays:

—0

The Bill:

H. 1541. To apply to ever city of this State having a population of 300,000 or more, according to the last or any subsequent federal census, and to each pension system established by any law of this State, heretofore or hereafter adopted, for either firemen or policemen of such city, providing such pension system has been, or shall have been, for a period of 25 consecutive years closed within the meaning of this Act; to provide that a firemens' pension system is a closed pension system within the meaning of this Act when the law governing such system provides that no person entering the employment of the Fire Department of such city after a date specified in said law shall become, or be, a member of such firemens' pension system; to provide that a policemen's pension system is a closed system within the meaning of this Act when the law governing such system provides that no person entering the employment of the Police Department of such city after a date specified in said law shall become, or be, a member of such policemen's pension system; to provide that any retirement benefit, disability benefit or widow's benefit or other benefit paid to a member of the system shall be called "a benefit" and that any person receiving a benefit shall be called "the beneficiary"; to prescribe for any beneficiary, or beneficiaries, to enter into a contract, or contracts, with an attorney, or attorneys, whereby the beneficiary, or beneficiaries, em-

ploy the attorney, or attorneys, to perform legal services in endeavoring to secure an increase in benefits for the beneficiary or beneficiaries; to provide that any such contract of employment may contain a provision for the city to deduct the attorney's fee provided for in the contract of employment, from any increase in benefits sought by the attorney, or attorneys, and actually obtained for the beneficiary, or beneficiaries, which last mentioned provision is called in this Title, and in this Act, "The Deduction Provision"; to provide that when the contract of employment contains a deduction provision, the disbursing officer, for the pension system or the city, shall deduct from any increase in benefits the attorney's fee in accordance with the provisions of the deduction provision and shall pay such fee to the attorney entitled to the same, or to the attorney's appointee: to provide that any beneficiary of the pension system can enter into such contract of employment by and through an agent, provided such beneficiary has signed a written power of attorney authorizing such contract; to provide the terms and conditions on which the deduction of the attorney's fee shall be made; to provide that the city shall have the right to require, as a condition to deducting any such attorney's fee, that the attorney file an indemnifying bond, or deposit security, with the disbursing officer of the city or pension system, the disbursing officer and all beneficiaries against damage or loss arising from the illegal, improper or unauthorized deduction of an attorney's fee; to repeal all laws or parts of laws, whether general, special or local, in conflict with the provisions of this Act; and to provide when this Act shall become effective.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Clark	Hammond	Lybrand	Shelby	
Cook	Hawkins	Malone	Vacca	
Dominick	Horne	Noonan	Weaver	
Dozier	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays:

—0

The Bill:

H. 1789. To provide for the filing for record and the preservation of all orders and Decrees made and entered by any Judge of the Circuit Court in all counties having a population of 500,000 or more according to the last or any subsequent federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Gilmore	Littleton	Pelham	
Clark	Hammond	Lybrand	Pierce	
Cook	Harris	McLain	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones			—25

Nays:

—0

## The Bill:

H. 1852. Relating to counties having populations of 600,000 or more; to require election officers to make an additional copy of the returns for each polling place at any state, county, municipal or local election and deliver it to the Probate Judge who shall preserve it as a public record for at least 1 year; making it a misdemeanor to fail to comply with the provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Malone	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

## Nays:

—0

## The Bill:

H. 1877. To authorize any Lieutenant in the Police Department of the City of Bessemer to issue warrants of arrest.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Vacca	
Clark	Hammond	Malone	Weaver	
Cook	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

## Nays:

—0

## The Bill:

H. 1451. To amend the title and Sections 1 and 2 of Act No. 832, H. 1501, Regular Session 1961 (Acts 1961, p. 1227), as last amended, which regulates the sale and consumption of alcoholic beverages in certain places in counties classified on a population basis, provides for a referendum of the voters in such counties to determine the wet-dry status of any other places in such county, and prescribes penalties for violations of the act in certain counties classified on a population basis. was taken up.

Mr. Lybrand offered the following substitute for the Bill, H. B. 1451, to-wit:

## SUBSTITUTE FOR H. B. 1451

A BILL  
TO BE ENTITLED  
AN ACT

To amend the title and Sections 1 and 2 of Act No. 832, H. 1501, Regular Session 1961 (Acts 1961, p. 1227), as last amended, which regu-



lates the sale and consumption of alcoholic beverages in certain places in counties classified on a population basis, provides for a referendum of the voters in such counties to determine the wet-dry status of any other places in such county, and prescribes penalties for violations of the act in certain counties classified on a population basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 832, H. 1501, Regular Session 1961 (Acts 1961, p. 1227), as last amended, is amended to read as follows:

"An Act Relating to counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; prohibiting consumption of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act."

Section 2. Section 1 of said Act No. 832, H. 1501, as last amended, is amended to read as follows:

"Section 1. This Act shall apply only in counties having a population of not less than 95,000 nor more than 115,000 inhabitants, according to the last or any subsequent federal decennial census."

Section 3. Section 2 of said Act No. 832, H. 1501, as last amended, is amended to read as follows:

"Section 2. It shall be unlawful for any person, firm or corporation to sell or offer for sale any spirituous, vinous, or malt or brewed beverages in any county in which this Act applies except within the corporate limits of incorporated municipalities in said counties having populations of not less than 15,000 according to the most recent federal decennial census, and except within the corporate limits of any other municipality within the county when the governing body of such municipality has approved the sale or offering for sale within such corporate limits of spirituous, vinous, malt or brewed beverages. Provided, however, no municipal governing body in authorizing the sale of such beverages in such municipality shall pass any municipal law, ordinance or resolution in conflict with any other provision of this Act.

"No municipality shall be authorized to license any business to sell any spirituous or vinous liquors or beverages or any malt or brewed beverages for consumption on the premises where sold unless approved by a majority of the duly qualified voters of any municipality within said county in an election called by the governing body of such municipality."

Section 4. Section 5 of said Act No. 832, H. 1501, as last amended, is amended further to read as follows:

"Section 5. It shall be unlawful for any spirituous or vinous liquors or beverages to be sold other than in a State Liquor Store, except as herein provided."

Section 5. Section 6 of said Act No. 832, H. 1501, as last amended, is amended further to read as follows:

"Section 6. It shall be unlawful for any malt or brewed beverages to be sold for consumption on the premises where sold except as herein provided."

Section 6. Section 7 of said Act No. 832, H. 1501, as last amended, is further amended to read as follows:

"Section 7. It shall be unlawful for malt or brewed beverages to be consumed on the premises where bought except as herein provided."

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. This Act shall become effective September 1, 1971.

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	Jones	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Wilder	
Dozier	Hawkins	Owen	Wilson	
Edington	Horne			—25

*Nays:* —0

And said Bill, H. B. 1451, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Givhan	Lybrand	Register	
Carr	Hammond	Malone	Shelby	
Clark	Hawkins	Noonan	Vacca	
Cook	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilder	
Edington	King	Pierce	Wilson	
Fine	Lindsey			—25

*Nays:* —0

The Bill:

S. 1083. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	O'Bannon
Bailes	Edington	King	Pierce
Branyon	Fine	Lindsey	Shelby
Carr	Foshee	Littleton	Vacca
Cook	Givhan	McLain	Weaver
Cooper	Hammond	Noonan	Wilder
Dominick	Harris		

—25

Nays:

—0

The Bill:

S. 1084. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pierce
Branyon	Foshee	Lindsey	Shelby
Clark	Givhan	Littleton	Vacca
Cook	Harris	McLain	Wilder
Dominick	Hawkins	Noonan	Wilson
Dozier	Horne		

—25

Nays:

—0

The Bill:

S. 1085. To provide, in any county of the State of Alabama having a population of not less than 175,000 nor more than 300,000, according to the last Federal Decennial Census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation, and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority, to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Gilmore	Lindsey	Pelham
Carr	Hammond	Littleton	Register
Clark	Harris	McLain	Vacca
Cook	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 1086. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Vacca
Clark	Givhan	McLain	Weaver
Cook	Harris	Noonan	Wilder
Cooper	Horne		

—25

Nays:

—0

The Bill:

S. 1046. To provide for and require reidentification of the registered electors of Marion County; imposing duties upon the board of registrars and other county officers, and upon the electors whose names appear on lists of qualified voters, prescribing penalties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce
Bailes	Gilmore	Lybrand	Shelby
Branyon	Givhan	Malone	Vacca
Carr	Hammond	Noonan	Weaver
Cooper	Hawkins	Owen	Wilder
Dominick	Jones	Pelham	Wilson
Dozier	King		

—25

Nays:

—0

## The Bill:

S. 1088. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Register	
Branyon	Gilmore	Lindsey	Shelby	
Carr	Hammond	Littleton	Vacca	
Cooper	Harris	McLain	Weaver	
Dominick	Hawkins	Noonan	Wilson	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

S. 1087. To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Shelby	
Carr	Foshee	Littleton	Vacca	
Clark	Gilmore	McLain	Wilder	
Cook	Hammond	Noonan	Wilson	
Dominick	Horne			—25

## Nays:

—0

## The Bill:

S. 1090. Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Gilmore	Lindsey	Shelby	
Carr	Givhan	Littleton	Vacca	
Cook	Hammond	McLain	Wilder	
Cooper	Hawkins	Noonan	Wilson	
Dominick	Horne			—25

*Nays:* —0

The Bill:

S. 1091. To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Pelham	
Carr	Foshee	Lindsey	Shelby	
Cook	Givhan	Littleton	Vacca	
Cooper	Harris	McLain	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne			—25

*Nays:* —0

The Bill:

S. 1092. Relating to the residence of employees of municipalities having a population of not less than 50,000 nor more than 60,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Hammond	Lybrand	Register	
Carr	Harris	Malone	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

*Nays:* —0

The Bill:

S. 1094. To amend the title and Section 1.01 of Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits the adoption of the council-manager form of municipal government, provides for the calling and holding of elections to vote thereon, provides for the election, terms of office, qualification numbers, powers, and authority of the council, mayor, and the city clerk, provides for

the appointment and removal and defines the powers of the city manager defines the legal status, form of government and powers of the city, provides for an annual budget, creates and defines the powers and duties of a department of finance and the director thereof, regulates purchases and contracts of the city, to set up terms and effects of succession in government in said city, provides for the establishment of wards, and provides for the means of abandoning the council manager form of government in certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Gilmore	Lindsey	Pelham
Branyon	Hammond	Lybrand	Register
Carr	Harris	Malone	Shelby
Cooper	Hawkins	Noonan	Vacca
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 1095. To amend the title of Act No. 283, H. 981, Regular Session 1969 (Acts 1969, p. 619), which validates certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts 1953, p. 472), and which amends said Act No. 404 so as to provide further for notice required of the election of the first council after a city elects this form of government, and provides for holding and conducting the elections of the first and subsequent city council in certain cities classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Gilmore	Lindsey	Pelham
Branyon	Hammond	Lybrand	Pierce
Cook	Harris	Malone	Register
Cooper	Hawkins	Noonan	Shelby
Dominick	Horne	O'Bannon	Vacca
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 1096. To amend the title and Section 1 of Act No. 806, H. 1267, Regular Session 1965 (Acts 1965, p. 1507), which provides for the introduction of hospital records from any hospital organized and operated under state laws as evidence in any court in Alabama, provides for the certifying of said records, enumerates such matters as shall affect the weight of said evidence in the courts, provides for the cost and taxing thereof for such copy and for the filing of said copy, and provides for subpoena duces tecum thereof in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pelham	
Bailes	Gilmore	Lindsey	Pierce	
Branyon	Hammond	Littleton	Register	
Carr	Harris	McLain	Shelby	
Cooper	Hawkins	Malone	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

*Nays:* —0

The Bill:

S. 1097. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Hammond	Lybrand	Register	
Carr	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

*Nays:* —0

The Bill:

S. 1098. To amend the title and Section 1 of Act No. 154, H. 746, Regular Session 1965 (Acts 1965, p. 218), as last amended, which creates the office of commissioner of licenses, prescribes the powers, duties, and authority of such office, fixes the salary, furnishes quarters, supplies and assistants, and provides for the appointment of such commissioner, transfers certain of the duties of the probate judge relating to licenses to such officer, certain of the duties of the tax assessor and tax collector, and all of the duties of the license inspector in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Hammond	Lybrand	Register	
Cooper	Harris	Malone	Shelby	
Dominick	Hawkins	Noonan	Vacca	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones			—25

*Nays:* —0



**The Bill:**

S. 1099. To amend the title and Section 1 of Act No. 99, S. 34, Second Special Session 1963 (Acts 1963, p. 278), which regulates further the method of summoning jurors in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	Lindsey	Pierce
Bailes	Hammond	Lybrand	Register
Branyon	Harris	Malone	Shelby
Carr	Hawkins	Noonan	Vacca
Cooper	Horne	O'Bannon	Weaver
Dominick	Jones	Pelham	Wilson
Dozier	King		

—25

**Nays:**

—0

**The Bill:**

S. 1100. To amend the title and Section 1 of Act No. 826, S. 405, Regular Session 1965 (Acts 1965, p. 1548), which relates to admissibility of evidence in civil actions in the courts of certain counties classified on a population basis, requires copies to be furnished of written statements taken with respect to accidents about which civil actions may be filed to the person making such statements, and prescribes the effect of failure to furnish such copies as are required in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	Lindsey	Pierce
Bailes	Foshee	Lybrand	Register
Branyon	Hammond	Malone	Shelby
Carr	Harris	Noonan	Vacca
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Jones	Pelham	Wilson
Edington	King		

—25

**Nays:**

—0

**The Bill:**

S. 1101. To amend the title and Section 1 of Act No. 33, H. 7, First Special Session 1963 (Acts 1963, p. 107), which authorizes, provides for the licensing of, and regulates the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds, prescribes the fees for such licenses, provides for their collection and distribution, and prescribes penalties for violation of said Act, in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Hammond	Lybrand	Register	
Carr	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 1103. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Edington	Lindsey	Pierce	
Branyon	Fine	McLain	Register	
Carr	Hammond	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

S. 1106. To amend the Title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. I, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Edington	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Carr	Hammond	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Jones			—25

Nays: —0

The Bill:

S. 1108. To apply only to counties having a population of not less than 39,500 nor more than 41,000, according to the most recent federal decennial census; awarding to certain municipalities in such counties a portion of fines and forfeitures accruing from arrests within their police jurisdiction.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, S. B. 1108, to-wit:

#### COMMITTEE AMENDMENT TO S. B. 1108

1. Amend the title of the bill by striking the figure "41,000" in the second line of the bill, and substituting the figure: 41,750

2. Amend Section 1 of the bill by striking the figure "41,000" in the second line thereof and substituting therefor the figure: 41,750

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Carr	Foshee	Littleton	Pierce	
Cook	Gilmore	Lybrand	Register	
Cooper	Givhan	Malone	Shelby	
Dominick	Harris	Noonan	Vacca	
Dozier	Jones			—25

Nays:

—0

And said Bill, S. B. 1108, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Givhan	McLain	Register	
Branyon	Harris	Noonan	Shelby	
Carr	Horne	Malone	Vacca	
Cooper	Jones	O'Bannon	Weaver	
Dominick	King	Pelham	Wilson	
Edington	Littleton			—25

Nays:

—0

The Bill:

S. 1109. To apply only in counties having populations of not less than 75,000 nor more than 90,000; providing an expense allowance for the chairman or president and members of the county commission, or other like governing body of the county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Malone	Shelby	
Cooper	Harris	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 1110. Amending Act No. 242, 1969 Regular Session approved July 29, 1969, providing for the compensation of the Assistant District Attorney of the 31st Judicial Circuit.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Littleton	Pierce	
Bailes	Harris	Lybrand	Register	
Branyon	Hawkins	McLain	Shelby	
Carr	Horne	Malone	Vacca	
Cooper	Jones	O'Bannon	Wilder	
Dominick	King	Pelham	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 1111. Relating to all counties having a population of not less than 65,000 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census; providing for the submission to the qualified voters of Lauderdale County the question of whether or not an annual license tax and registration fee shall be levied in the amount of 75¢ upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by any individual who is a resident of Lauderdale County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Lauderdale County; providing for the calling, giving of notice, holding, conducting, canvassing and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee: exempting motor vehicles owned and used by the state and counties and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Lauderdale County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration; prohibiting any motor vehicle from using the public highways of Lauderdale County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of promoting the industrial expansion and development of Lauderdale County or pay-

ment of principal or interest on any obligation or indebtedness incurred for such purpose, and repealing all laws in conflict therewith.

was taken up.

Mr. O'Bannon offered the following substitute for the Bill, S. B. 1111, to-wit:

SUBSTITUTE FOR S. B. 1111

A BILL  
TO BE ENTITLED  
AN ACT

Relating to all counties having populations of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; providing for the submission to the qualified voters of such counties the question of whether or not an annual license tax and registration fee shall be levied in the amount of 75¢ upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by any individual who is a resident of such counties and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of the county; providing for the calling, giving of notice, holding, conducting, canvassing and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and counties and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of the county to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration; prohibiting any motor vehicle from using the public highways of such counties until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of promoting the industrial expansion and development of the county or payment of principal or interest on any obligation or indebtedness incurred for such purpose, and repealing all laws in conflict therewith.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of all counties having a population of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census is authorized to call an election of the qualified voters of said county to determine whether or not a special county license tax and registration fee shall be levied as hereinafter provided. The election provided for herein shall be called, held, conducted and canvassed and may be contested in the same manner as provided by law for the calling, holding, conducting and canvassing of county bond elections provided, however, the notice of election need be published only once a week in each of two consecutive weeks, the first such publication to be not less than ten days prior to the date of the election. Elections to authorize the levy of said special county license tax and registration fee may be held as often as ordered by the governing body of the county, but if the proposition is submitted to the voters and is defeated, another election shall not be held for one year thereafter.

Section 2. The governing body of the county shall declare the results of the election and, if a majority of the qualified voters participating at an election are found to have voted for the levy of the special

license tax and registration fee, the governing body of the county shall levy, in addition to all other taxes, licenses and fees of every kind now imposed by law, an annual license tax and registration fee in the amount of 75¢ upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, which is owned by any individual who is a resident of the county and upon every such vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county. The county license tax and registration fee shall become due on the due date of the state license and registration fee levied under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama, 1940, or any laws amendatory thereof or supplementary thereto, next following the levy of said county license tax and registration fee by the governing body of the county, and on the same day in each year thereafter from the first date on which said tax and fee became due.

Section 3. The judge of probate of the county shall collect the annual license tax and registration fee authorized by this Act from the owner of the motor vehicle at the time he collects the state license and registration fee levied on such motor vehicles under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama, 1940, or any laws amendatory thereof or supplementary thereto, and shall maintain complete records of each transaction on forms to be prescribed and furnished by the governing body of the county, but the judge of probate shall not be allowed any fee for collecting the county license tax and registration fee. Until the county license tax and registration fee has been paid, the judge of probate shall not issue a motor vehicle license tag for use on any motor vehicle upon which a license tax and registration fee is imposed pursuant to this Act.

Section 4. Motor vehicles owned and used by the state, and counties or municipalities of this state, shall not be liable for the payment of the county license tax and registration fee authorized by this Act.

Section 5. Statutes providing for the purchase of any motor vehicle license on a monthly declining or half-year basis shall not apply to the license tax and registration fee authorized by this Act.

Section 6. The purchaser of any motor vehicle shall have four days from the date of acquisition within which to pay the county license tax and registration fee authorized herein.

Section 7. The governing body of the county shall have the power and authority to adopt and promulgate rules and regulations necessary for the collection and enforcement of the county license tax and registration fee authorized by this Act and to expend so much of the proceeds thereof as may be necessary to collect and enforce the tax and to provide for the evidence of the payment thereof.

Section 8. No motor vehicle upon which a county license tax and registration fee is imposed pursuant to this Act shall be operated upon the public highways of such counties until said tax and fee shall have been paid as herein provided.

Section 9. The proceeds of the county license tax and registration fee authorized by this Act, less the cost of collecting, administering and providing the evidence of the payment thereof, shall be used solely for the purpose of promoting the industrial expansion and development of the county, or for the purpose of paying the principal of or interest on any obligations or indebtedness incurred for such purpose.

Section 10. The said license tax and registration fee if imposed as herein provided may be repealed in the same manner as herein provided for the imposition thereof.

Section 11. All laws and part of laws in conflict with any provisions of this Act are hereby repealed.

Section 12. If any section, clause or provision of this Act shall be, or declared to be, invalid, this shall not affect any other section, clause or provisions hereof not in itself invalid.

Section 13. This Act shall take effect immediately upon its passage by the Legislature and approval by the Governor or upon its otherwise becoming law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Bailes	Hammond	Littleton	Pierce	
Carr	Harris	Lybrand	Register	
Cooper	Hawkins	McLain	Shelby	
Dominick	Horne	Malone	Vacca	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

And said Bill, S. B. 1111, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Bailes	Hammond	Littleton	Pierce	
Branyon	Harris	Lybrand	Register	
Carr	Hawkins	McLain	Shelby	
Cooper	Horne	Malone	Vacca	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1113. Relating to Talladega County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham	
Bailes	Hammond	Littleton	Pierce	
Branyon	Harris	Lybrand	Register	
Carr	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1115. To provide for an increase in salary for the janitors employed at the County Courthouse in all counties having a population of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Edington	Lindsey	Pierce	
Branyon	Fine	Littleton	Register	
Carr	Hammond	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Jones			—25

Nays:

—0

The Bill:

S. 1118. To amend the title and Sections 1, 3, and 4 and to repeal Section 2 of Act No. 135, H. 117, Special Session 1967 (Acts 1967, p. 185), which provides for the appointment, equipment, training and compensation of deputies, aides and assistants of the sheriff of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Hammond	Lybrand	Register	
Carr	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

S. 1119. To amend the title and Sections 1, 3 and 4 (b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Register	
Branyon	Hammond	Malone	Shelby	
Carr	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Pelham	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 1120. To amend the title and Section 1 of Act No. 692, H. 954, Regular Session 1967 (Acts 1967, p. 1518), which provides an additional expense allowance for the sheriff of certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Foshee	Lybrand	Register	
Branyon	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Pelham	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 1121. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census, to create a Civil Service Board in said counties to assure the more efficient operation of the Sheriff's Department; to provide for the composition, powers, duties, and compensation for such boards; and to establish certain employee management policies for the Sheriff's Department in said counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Carr	Hammond	Lybrand	Register	
Clark	Harris	McLain	Weaver	
Cook	Hawkins	Malone	Wilder	
Dominick	Horne	O'Bannon	Wilson	
Dozier	King			—25

Nays: —0

## The Bill:

S. 1122. To amend the title and Section 1 of Act No. 185, H. 368, Regular Session 1961 (Acts 1961, p. 227), which provides for and authorizes clerk hire allowances for certain officials in certain counties on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Hammond	Malone	Register	
Carr	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

## Nays:

—0

## The Bill:

S. 1124. To create and provide for a county court in counties having a population of not more than 10,660, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Gilmore	Littleton	Pierce	
Branyon	Hammond	Lybrand	Register	
Carr	Harris	McLain	Shelby	
Clark	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	Lindsey			—25

## Nays:

—0

## The Bill:

S. 1129. Relating to Marshall County; providing for the operation of cemeteries; Requiring individuals, corporations, partnerships or governmental bodies which may now or at any future date own, lease, operate or maintain a cemetery in Marshall County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Gilmore	Littleton	Pierce	
Bailes	Hammond	Lybrand	Register	
Carr	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	Lindsey			—25

## Nays:

—0

The Bill:

S. 1130. To repeal Act No. 689, S. 429, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1283), entitled, "An Act To authorize the Director of Conservation to open a season in counties having a population of not less than 18,000 nor more than 19,400 for the hunting of female deer or unantlered male deer."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pierce	
Bailes	Hammond	McLain	Register	
Branyon	Harris	Malone	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cooper	Horne	O'Bannon	Wilder	
Dozier	Jones	Pelham	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

S. 1131. To repeal Act No. 79, S. 60, approved July 9, 1962, Special Session 1962 (Acts 1962, p. 101), entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 18,000 nor more than 19,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Littleton	Pierce	
Bailes	Harris	Lybrand	Register	
Branyon	Hawkins	Malone	Shelby	
Cooper	Horne	Noonan	Vacca	
Dozier	Jones	O'Bannon	Weaver	
Edington	King	Pelham	Wilson	
Gilmore	Lindsey			—25

Nays: —0

The Bill:

S. 1132. Relating to counties having populations of not less than 57,000 nor more than 61,000; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	Lindsey	Owen
Branyon	Gilmore	Littleton	Pierce
Carr	Hammond	Lybrand	Register
Clark	Harris	McLain	Shelby
Dominick	Horne	Malone	Vacca
Dozier	Jones	Noonan	Weaver
Fine	King		

—25

*Nays:*

—0

The Bill:

S. 1136. Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Gilmore	Littleton	Pierce
Bailes	Hammond	McLain	Register
Branyon	Harris	Noonan	Shelby
Cook	Hawkins	O'Bannon	Vacca
Dominick	Jones	Owen	Wilder
Dozier	King	Pelham	Wilson
Edington	Lindsey		

—25

*Nays:*

—0

The Bill:

S. 1137. To repeal Act No. 16, H. 2, approved March 18, 1963, First Special Session 1963 (Acts 1963, p. 85), entitled "An Act To fix the compensation of deputy solicitors of counties having populations of not less than 12,500 nor more than 13,500 and providing for payment thereof from the county treasury."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Hammond	Lybrand	Pierce
Bailes	Harris	McLain	Register
Branyon	Hawkins	Malone	Shelby
Carr	Jones	Noonan	Weaver
Cooper	King	O'Bannon	Wilder
Dozier	Lindsey	Pelham	Wilson
Foshee	Littleton		

—25

*Nays:*

—0

The Bill:

S. 1138. To amend the title and Section 1 of Act No. 58, S. 121, Special Session 1964 (Acts 1964, p. 78) which authorizes the licensing and regulation of hunting on certain hunting preserves, prescribes fees

for such licenses, provides for collection and distribution thereof, and prescribes penalties for violations, in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Littleton	Pelham	
Bailes	Harris	Lybrand	Pierce	
Branyon	Hawkins	McLain	Register	
Carr	Horne	Malone	Vacca	
Cooper	Jones	Noonan	Wilder	
Dozier	King	O'Bannon	Wilson	
Gilmore	Lindsey			—25

Nays:

—0

The Bill:

S. 1139. To amend the title and Section 1 of Act No. 1244, H. 1545, Regular Session 1969 (Acts 1969, p. 2345) which provides further for certain fees allowed to judges of probate, in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Littleton	Owen	
Bailes	Hammond	Lybrand	Pelham	
Branyon	Harris	McLain	Pierce	
Carr	Hawkins	Malone	Vacca	
Clark	Jones	Noonan	Weaver	
Cooper	King	O'Bannon	Wilson	
Dozier	Lindsey			—25

Nays:

—0

The Bill:

S. 1140. To repeal Act No. 63, H. 5, approved August 24, 1964, Special Ssession 1964 (Acts 1964, p. 85), entitled, "An Act To apply in all counties having populations of not less than 12,500 nor more than 13,500, providing clerk-hire allowances for certain county officers."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Lybrand	Pierce	
Bailes	Gilmore	McLain	Register	
Branyon	Hammond	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Cook	Lindsey	Pelham	Wilson	
Cooper	Littleton			—25

Nays:

—0

The Bill:

S. 1141. To amend the title and Section 1 of Act No. 1235, H. 1526, Regular Session 1969 (Acts 1969, p. 2333) which fixes the compensation of the deputy district attorney and provides for payment thereof from the county treasury, in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Hammond	Lybrand	Pierce	
Bailes	Harris	McLain	Register	
Branyon	Hawkins	Malone	Shelby	
Carr	Jones	Noonan	Weaver	
Cooper	King	Owen	Wilder	
Dozier	Lindsey	Pelham	Wilson	
Gilmore	Littleton			—25

Nays.

—0

The Bill:

S. 1050. Relating to the powers of counties having populations of 600,000 or more according to the most recent federal decennial census; authorizing the governing bodies of such counties to adopt ordinances which protect the historic architectural character of the county, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Register	
Bailes	Hammond	McLain	Shelby	
Carr	Hawkins	Noonan	Vacca	
Cook	Horne	O'Bannon	Weaver	
Dominick	Jones	Owen	Wilder	
Edington	King	Pelham	Wilson	
Fine	Littleton			—25

Nays:

—0

The Bill:

H. 78. Relating to cities having populations of 300,000 or more; to regulate the power and authority of such cities to levy or impose privilege license taxes on employees working for wages, salaries or other compensation in such cities.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following substitute for the Bill, H. B. 78, to-wit:

## SUBSTITUTE FOR HOUSE BILL 78

A BILL  
TO BE ENTITLED  
AN ACT

Relating to cities having a population of 300,000 or more according to the last or any succeeding federal decennial census; to regulate the power and authority of such cities to levy or impose privilege license taxes on employees working for wages, salaries or other compensation in such cities.

Be It Enacted by the Legislature of Alabama:

Section 1. No city having a population of 300,000 or more according to the last or any succeeding federal decennial census shall have the power or authority to levy or impose a privilege license tax of more than 1 per cent on the wages, salaries or other compensation of persons employed within its corporate limits or police jurisdiction; provided, however, that any person whose gross income from wages, salary or other compensation from all sources is less than \$3,000 a calendar year shall be entitled to a refund from the city of any privilege license tax paid to any such city on any such person's wages, salary or other compensation.

Section 2. Each city having a population of 300,000 or more according to the last or any succeeding federal decennial census which levies or imposes or which shall levy or impose any privilege or license tax for the privilege of working or being employed within the city shall set aside from the first gross proceeds of such tax received during each quarter-year the sum of \$400,000, to be use exclusively to finance the acquisition or construction of a public coliseum or exhibition arena to be located within such city. In the event that any such city shall acquire such public coliseum or exhibition arena by lease from a public corporation or authority and, in anticipation of the receipt by such public corporation or authority from such city of the rent of such coliseum or exhibition arena under such lease, such public corporation or authority shall issue its obligations or securities payable from such rent, then and in such events, from and after the date of entering into such lease and the issuance of such obligations or securities, such city shall not thereafter repeal or alter, modify or amend such privilege or license tax on the privilege of working or being employed in such city so that the proceeds thereof will be less than \$400,000 per quarter-year so long as the obligations or securities of such public corporation or authority shall be outstanding.

Section 3. All laws or parts of laws in conflict with this act are hereby repealed.

Section 4. The provisions of this act are intended to be severable. If any section, provision or clause of this act is declared to be invalid or unconstitutional, such declaration shall not affect the remaining sections, provisions or clauses of this act, and the portions not so declared invalid or unconstitutional shall remain and be construed as if such invalid or unconstitutional section, provision or clause had not been included herein.

Section 5. This act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Hammond	Lybrand	Pierce	
Bailes	Harris	McLain	Register	
Carr	Hawkins	Malone	Shelby	
Cooper	Jones	Noonan	Vacca	
Dominick	King	O'Bannon	Wilder	
Edington	Lindsey	Pelham	Wilson	
Gilmore	Littleton			—25

*Nays:* —0

And said Bill, H. B. 78, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Gilmore	Lybrand	Pierce	
Bailes	Givhan	McLain	Register	
Carr	Hammond	Malone	Shelby	
Cook	Hawkins	Noonan	Vacca	
Cooper	King	O'Bannon	Wilder	
Dominick	Lindsey	Pelham	Wilson	
Edington	Littleton			—25

*Nays:* —0

The Bill:

H. 971. To amend Act No. 96, H. 490 of the Regular Session of 1965, which establishes an inferior court in Jefferson County to be known as the Civil Court of Jefferson County (Acts Regular Session of 1965, p. 131), so as to provide further for the service of the summons and processes of the court by authorizing such service by any of the constables or his duly authorized deputy, of Jefferson County; and for such purpose amending Sections 17 and 21 of said Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Gilmore	Lybrand	Pelham	
Bailes	Hammond	McLain	Pierce	
Carr	Hawkins	Malone	Register	
Cook	Jones	Noonan	Shelby	
Dominick	King	O'Bannon	Vacca	
Dozier	Lindsey	Owen	Wilson	
Edington	Littleton			—25

*Nays:* —0

The Bill:

H. 1079. To provide, subject to the conditions and qualifications stated in this Act, that the city board of education of every city of the State having a population of 300,000 or more, according to the last or any subsequent Federal census shall adopt a resolution providing for certain classes of employees of such board of education, particularly



described in this Act, to participate in the State Employees' Retirement System of Alabama, established by Chapter 17, Title 55, Code of Alabama of 1940, as amended, subject to the approval of Board of Control, established by Section 461, Title 55, Code of Alabama of 1940; to provide that the said employees of said city board of education shall participate in the said State Employees' Retirement System, in accordance with said resolution, subject to the terms, conditions and provisions prescribed in this Act and in Section 467, Title 55, Code of Alabama of 1940, as heretofore or hereafter amended, except to the extent that this Act modifies said Section 467; and to provide that the said resolution shall not apply to any employees of the city board who prior to the date prescribed for the adoption of such resolution become entitled to participate in the Teachers' Retirement System established by Chapter 14, Title 52, Code of Alabama of 1940, as amended.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McLain	Pierce	
Bailes	Hammond	Malone	Register	
Carr	Hawkins	Noonan	Shelby	
Cook	Jones	O'Bannon	Vacca	
Dominick	Lindsey	Owen	Weaver	
Dozier	Littleton	Pelham	Wilson	
Edington	Lybrand			—25
Nays:				—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mathews, Williams, Turner, Drake, Easters, Grainger and Robertson:

H. 1806. To make appropriations for support and maintenance of the Tuskegee Institute, located in Macon County.

Also:

By Messrs. Gloor and Bank:

H. 1126. Defining categories of Medical Laboratory Personnel and the regulation and licensing thereof in the State of Alabama; repealing Sections 151-167, Chapter 8, Title 46, Code of Alabama, 1940.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 1806. To the Committee on Finance and Taxation.

H. B. 1126. To the Committee on Health.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mathews, Williams, Drake, Turner, Easters, Grainger and Robertson:

H. 1805. To make appropriations for the support and maintenance of the Lyman Ward Military Academy.

Also:

By Messrs. Mathews, Williams, Turner, Drake, Easters, Grainger and Robertson:

H. 1807. To make appropriations for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

Also:

By Messrs. Mathews, Williams, Turner, Drake, Easters, Grainger and Robertson:

H. 1808. To make appropriations for support and maintenance of the Marion Institute, located in Perry County.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1805, 1807 and 1808. To the Committee on Finance and Taxation.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Roberts:

H. J. R. 159. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, THAT When the two Houses adjourn today, they adjourn to meet again on Tuesday, August 24, 1971.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Pierce, the Rules were suspended and the Resolution, H. J. R. 159, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Erdreich:

H. J. R. 151. Praising Lawrence Falk, who is departing from United Press International Alabama Bureau and Newsprobe 1971.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 151, the title of which is set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 431. To provide for and prescribe the form of government for all cities having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last federal census or any subsequent regular decennial federal census.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Pierce, the Senate non-concurred in the following House amendment to the bill, S. B. 431, the title of which is set out in the foregoing Message from the House, to-wit:

## AMENDMENT TO S. B. 431

Amend Senate Bill 431 in Section 2 by striking the figures \$22,500.00 and adding in lieu therefor the figures \$18,500.00.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Hawkins	O'Bannon	
Bailes	Fine	Jones	Owen	
Branyon	Foshee	Lindsey	Pierce	
Cook	Gilmore	Littleton	Shelby	
Cooper	Givhan	Lybrand	Vacca	
Dominick	Hammond	Noonan	Wilson	
Dozier	Harris			—25

Nays:

—0

and requested a Committee on Conference.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Pierce, Jones and Wilder.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 532. To amend further Section 788 of Title 37, Code of Alabama 1940, as amended, relating to municipal planning commissions in all cities having populations of not less than 175,000 nor more than 275,000 according to the most recent federal decennial census.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Noonan, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 532, the title of which is set out in the foregoing Message from the House, to-wit:

### AMENDMENT TO S. B. 532

Amend Section 1 of Senate Bill 532 by striking the words, "two hundred thousand nor more than three hundred thousand", beginning on line 27 thereof and substituting in lieu therefor the words, "one hundred seventy-five thousand nor more than two hundred seventy-five thousand".

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham	
Bailes	Hammond	Littleton	Pierce	
Clark	Harris	Lybrand	Register	
Cook	Hawkins	McLain	Shelby	
Cooper	Horne	Noonan	Vacca	
Edington	Jones	Owen	Wilson	
Gilmore	King			—25

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 478. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people and not more than 180,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the Board and for the selection and compensation of its members; providing for the continued service of any board presently

serving under any prior Act of the Legislature; providing for the selection, powers, duties and compensation of the personnel director; to require certification of county, municipal, public corporation, board and commission payrolls; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof; and providing for an effective date of this Act.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Pierce, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 478, the title of which is set out in the foregoing Message from the House, to-wit:

#### AMENDMENT TO S. B. 478

Amend Senate Bill 478 in Section 3 by deleting the last paragraph in its entirety.

Further amend Senate Bill 478 in Section 4 by deleting the last sentence in the first paragraph of subsection (h).

In Section 5 subsection (i), strike out the period at the end of the subsection and insert in lieu thereof the following:

“; however, any employee who works overtime shall be compensated therefor only by overtime pay for any overtime work during the normal tour of duty.”

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pierce
Bailes	Hammond	McLain	Shelby
Branyon	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Jones	O'Bannon	Wilder
Dozier	Lindsey	Owen	Wilson
Edington	Littleton		

—25

Nays:

—0

#### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Pierce, further consideration of the Bill, H. B. 271, was indefinitely postponed by the Senate.

#### INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Foshee:

S. 1210. Relating to counties having populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Committee on Local Legislation No. 1.

By Mr. Owen:

S. 1211. To provide an expense allowance for the clerk of the juvenile court of any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court.

Committee on Local Legislation No. 1.

By Mr. Hammond:

S. 1212. Relating to counties having populations of not less than 38,100 nor more than 40,500; providing further for the annexation of territory by certain municipalities in said counties.

Committee on Local Legislation No. 1.

By Mr. Lybrand:

S. 1213. To create and establish a court of record with county wide limited jurisdiction of criminal cases and civil actions at law, to be called the County Court of Calhoun County, in lieu of, and to replace the Intermediate Civil Court of Calhoun County; to abolish the Intermediate Civil Court of Calhoun County; to provide for the jurisdiction of said County Court of Calhoun County and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished court and in the Calhoun County Court to the newly established court, and to repeal Act No. 23, H. 8, 1962 Special Session (Acts 1962, p. 29) and all other conflicting laws.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To create and establish a court with county wide limited jurisdiction of criminal cases and civil actions at law, to be called the County Court of Calhoun County, in lieu of and to replace the Intermediate Civil Court of Calhoun County; to abolish the Intermediate Civil Court of Calhoun County; to provide for the jurisdiction of said County Court of Calhoun County and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished court and in the Calhoun County Court to the newly established court, and to repeal Act No. 23, H. 8, 1962 Special Session (Acts 1962, p. 29) and all other conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in Calhoun County a court with limited jurisdiction of criminal cases and civil actions at law. The court shall be known as the County Court of Calhoun County. This court shall replace the Intermediate Civil Court of Calhoun County

which was established by Act No. 23, H. 8, 1962 Special Session (Acts 1962, p. 29), which court is hereby abolished. The court hereby established shall have concurrent jurisdiction with the Calhoun County Court which was established by Act No. 106, S. 295, Regular Session 1951, (Acts 1951, p. 327). The County Court of Calhoun County shall be held in a place furnished and designated by the Calhoun County Commission.

Section 2. All cases and actions pending in the Intermediate Civil Court of Calhoun County and the Calhoun County Court on the effective date of this Act shall be transferred to the court hereby created, and shall proceed as though begun therein. As to judgments rendered by the abolished court, the County Court of Calhoun County shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 3. (A) Except as provided in subsection (B), of this section, the County Court of Calhoun County shall have and exercise jurisdiction of all actions, causes, matters, proceedings, and cases, including actions of unlawful detainer and actions for recovery of possession of land which are cognizable before the circuit-court, county court, or justice of the peace courts, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have authority to punish contempts by fine and not exceeding fifty dollars (\$50.00) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(B) This court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil actions when the matter or sum in controversy exceeds One Thousand Dollars (\$1,000.00) and it shall not have power to try any matter or proceeding in equity.

Section 4. The court shall not draw, organize, or empanel grand or petite juries. The judge of said court shall decide all issues of fact without the intervention of a jury.

Section 5. (A) The County Court of Calhoun County shall have two divisions, namely, law and criminal. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competence of witnesses, admissability of evidence, regulation of suits and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the Circuit Courts. Interrogatories to adverse parties, as provided for by Article 8, Chapter 10, Title 7, Code of Alabama (1940), may be used, except that answers must be filed to such interrogatories within thirty (30) days after service of the interrogatories. If answers to the interrogatories are not filed within thirty days after service of a copy of the interrogatories, or when the answers are not full, or are evasive, the court may either attach the party and cause him to answer fully in open court or tax him with so much costs as may be just, and continue the cause until full answers are made, or direct a nonsuit or judgment by default, to be entered, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence.

(B) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within twenty days. If a defendant fails to appear, plead, answer or demur within the prescribed time after service has been perfected on him, he

shall be in default and on motion of the plaintiff judgment by default may be rendered against such defendant.

Section 6. (A) No prosecution shall be commence in such court except upon sworn complaint made to either the judge or the clerk if the court, or the deputy clerk of the court or the district attorney or assistant district attorney or county solicitor, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(B) A county or assistant district attorney for Calhoun County shall prosecute for the State all criminal cases commenced in such court.

Section 7. (A) The County Court of Calhoun County shall be open at all times for the transaction of business. Sessions of the court shall be held at such times as the judge shall designate. At least one civil session and one criminal session shall be held each month. Sessions may be continued so long as may be necessary for the court to complete its business.

(B) The Sheriff shall, without additional compensation attend the sessions of the court in person or by deputy.

(C) The constable of Precinct 15 of Calhoun County and the Sheriff of Calhoun County and any bailiff which may be provided the court shall be ex-officio officers of said court and may execute all processes from said court and make return thereof, and shall receive the same fees as are now provided by law for similar services, with respect to process issuing from the courts of justices of the peace in said county, but the fees of the sheriff shall be covered into the county treasury. On all processes served by the court bailiff, the same fees provided by law for the constable shall be paid said bailiff. All processes in cases may be delivered by the clerk to the sheriff or to the said constable or court bailiff under such rules of the court as the judge may prescribe.

(D) The judge shall have the same power and right to appoint an attorney to represent indigent defendants as judges of circuit courts.

Section 8. (A) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law and for witnesses in the circuit courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(B) In addition to the fees for witnesses, the courts shall have authority to tax costs for the uses of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100), the same as in justice courts; (2) in every other civil action at law, the same as in the circuit court; (3) In each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in the justice courts; (4) in every other criminal case, the same as in county courts. The court shall tax other costs as prescribed by law (both general and local acts).



(C) A trial tax of one dollar (\$1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100). In every other civil action at law and in every criminal case except criminal cases involving offenses of which justices of the peace have final jurisdiction, a trial tax of three dollars (\$3.00) shall be collected for the use of the county.

(D) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Calhoun County, Alabama, one-half (50 per cent) of all other fines and forfeitures collected in this court are to be paid into the general fund of Calhoun County, Alabama.

Section 9. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11, Title 7, Code of Alabama (1940) except that if the judgment of the court is for fifty dollars (\$50) or less the party in whose favor the judgment is rendered shall have a period of only three years in which to have a writ of fieri facias or execution levied against the property of the defendant, and the lien of such judgment registered under the provisions hereof shall continue for a period of three years from the date of such judgment in the manner set out in Section 588 of said Title 7; and if the judgment is for more than fifty dollars (\$50), the lien of such judgment when registered under the provisions hereof shall continue for a period of ten years from the date of such judgment in the manner set out in Section 585 of said Title 7.

The discovery of assets of judgment debtors as provided by Article 2, Chapter 21, Title 7, Code of Alabama (1940) may be had in this court as in circuit courts.

Section 10. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided.

(1) If the case is a civil case in the law division of the court, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by article 1 of Chapter 3, Title 13 of the 1940 Code.

(2) In every criminal case, the appeals lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Section 90 of Title 13 of the 1940 Code.

Section 11. (A) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1974 and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election and until his successor is elected and qualified.

(B) Immediately after the effective date of this Act, the Governor shall commission Hon. William C. Daniel as Judge of the County Court of Calhoun County and the said William C. Daniel shall hold office until his successor is elected or appointed as provided herein.

(C) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election a qualified elector of Calhoun County, learned in the law, and has been licensed to practice law in this State for five years. The judge shall not practice law in any of

the courts of this State or of the United States, and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(D) The judge shall receive an annual salary of sixteen thousand five hundred dollars (\$16,500.00), payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(E) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat; (3) administer oaths and take acknowledgements (4) issue search warrants; (5) exercise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts.

(F) The judge shall keep an office at such place as may be provided by the governing body of the county. His office shall be suitably equipped, furnished and provided at the expense of the county with such office supplies and stationery, stamps, blanks, docket books, typewriters, telephones, office equipment, furniture, fixtures and other materials as may be necessary for the transaction of the business of the court.

(G) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code. Such special judge shall be paid out of the general funds of the county the sum of fifty dollars (\$50) for each day he is called upon to serve during a regular session held pursuant to orders of the court duly spread upon the minutes of the court.

Section 12. The clerk of the County Court of Calhoun County shall be appointed by and hold office at the pleasure of the judge of said court. He shall receive a salary to be determined by the Calhoun County Commission, but which shall not be less than seven thousand two hundred dollars (\$7200.00) per annum, payable in equal monthly installments out of the county treasury. The Calhoun County Commission or like governing body is authorized and empowered to employ such assistant clerks as may be deemed necessary to properly handle the clerical work of the court at salaries to be determined by the said county commission and paid monthly by them out of the county treasury. The clerk of the said court shall have the direction and supervision of said assistant clerks and shall appoint one of them as his chief clerk. The chief clerk shall be authorized to do in the name of the clerk of the County Court of Calhoun County any act the said clerk is authorized to do. Said clerk shall give bond as the county commission shall require.

Section 13. The judge of the court shall have the power and the authority to appoint a bailiff to serve such court. Each bailiff so appointed shall receive a salary in such amount as is fixed therefor by the judge but not to exceed six hundred dollars (\$600.00) per month. Such salary shall be payable in equal installments out of the treasury of the county upon the warrant of the president or chairman of the county commission or other like county governing body. Each bailiff so appointed shall hold office at the will and pleasure of the judge so appointing him, and shall have the authority to do and perform all the duties of the court which the law authorizes any constable in Calhoun County to do.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. All laws or parts of laws in conflict herewith are hereby repealed and Act No. 23, H. 8 of the Special Session of 1962 (Acts 1962, p. 29) is specifically repealed.

Section 16. This Act shall take effect on the first day of the month next following the date of its enactment.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 7, August 9, August 16, and August 23, all in the year 1971.

PHILLIP SANGUINETTI.

Sworn to and subscribed before me August 23, 1971.

LOLA J. BRIGHT,  
Notary Public.

By Mr. Lybrand:

S. 1214. To fix the salaries of the judge and the clerk of the Calhoun County Court.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To fix the salaries of the judge and the clerk of the Calhoun County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge and the clerk of the Calhoun County Court shall each receive a salary of \$1.00 per annum, which shall be paid at the end of each year out of the general funds of the county. The salaries herein provided shall be the entire compensation of such judge and such clerk and shall be in lieu of all other emoluments and remuneration, including expense accounts or allowances.

Section 2. All laws or parts of laws which conflict with this Act are repealed, and Act No. 344, H. 860 of the Regular Session of 1965, (Acts 1965, p. 480) is hereby expressly repealed.

Section 3. This Act shall become effective upon the expiration of the term of office of the incumbent judge of the Calhoun County Court.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 7, August 9, August 16, and August 23, all in the year 1971.

PHILLIP SANGUINETTI.

Sworn to and subscribed before me August 23, 1971.

LOLA J. BRIGHT,  
Notary Public.

By Mr. McLain:

S. 1215. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Madison County under certain conditions to issue general obligation bonds in not exceeding \$2,000,000 principal amount for acquiring, providing, constructing and equipping public school buildings, including sites therefor; to provide that said bonds may be secured by a pledge of a sufficient amount of the  $\frac{1}{4}$  of 1% ad valorem tax authorized by Section 215 of said constitution to be levied by said county; to provide that none of said bonds shall be chargeable against the constitutional debt limit of said county; and to specify certain details pertaining to said bonds and to the issuance and sale thereof.

Committee on Judiciary.

The above Bill was read a first time at length as required by the Constitution.

By Mr. McLain:

S. 1216. To amend Section 93 of Title 12 of the Code of Alabama of 1940, so as to provide that counties may, after approval at a county bond election, issue and sell bonds for the purpose of acquiring, providing, constructing and equipping public school buildings, including sites therefor.

Committee on Judiciary.

By Mr. McLain:

S. 1217. To amend Section 1 of Act No. 96 enacted at the 1963 Second Special Session of the Legislature of Alabama so as to provide that counties, as well as municipalities, may issue the revenue bond anticipation notes therein provided for, and to provide that municipalities or counties that have issued such bond anticipation notes may, when such notes are held by the United States of America or any agency or instrumentality thereof, issue and deliver revenue bonds in

exchange for an equal principal amount of such notes without compliance with the provisions of Section 259 of Title 37 of the Code of Alabama of 1940.

Committee on Judiciary.

By Mr. McLain:

S. 1218. To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1219. Relating to all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the County Court in such counties; to repeal conflicting laws.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1220. To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1221. To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be deposited in the general fund of such counties.

Committee on Local Legislation No. 1.

By Mr. Harris:

S. 1222. To provide further for the control of solid wastes in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, by providing a method of exemption and a penalty for failure to pay fees, charges and rates for such disposal.

Committee on Local Legislation No. 1.

By Mr. Cooper:

S. 1223. Relating to Wilcox County; to provide for the salary of the chief deputy of such county to be not less than \$500.00 nor more than \$600.00 for each month said chief deputy serves and the salary of all other deputies of such county to be not less than \$400.00 nor more than \$500.00 for each month said deputies serve.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Wilcox County: to provide for the salary of the chief deputy of such county to be not less than \$500.00 nor more than \$600.00 for each month said chief deputy serves and the salary of all other deputies of such county to be not less than \$400.00 nor more than \$500.00 for each month said deputies serve.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Wilcox County is hereby authorized to pay the chief deputy of such county a sum of not less than \$500.00 nor more than \$600.00 for each month said chief deputy serves and all other deputies of such county are authorized to receive a sum not less than \$400.00 nor more than \$500.00 for each month said deputies serve. All salaries provided for by this section are to be approved by Wilcox County commission and is subject to change as the county commission of Wilcox County may deem necessary.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Progressive Era, a newspaper of General Circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 29, Aug. 5, Aug. 12, and Aug. 19, all in the year 1971.

M. HOLLIS CURL.

Sworn to and subscribed before me Aug. 19, 1971.

GLEND A. CURL,  
Notary Public.

By Mr. Cooper:

S. 1224. Relating to Conecuh County; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunt-

ing of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Conecuh County; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any persons violating the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm or corporation to take or catch, by any means or device, deer, whether dead or alive, from public waters of Conecuh County, Alabama.

Section 2. It shall be unlawful for any person, firm or corporation to take, capture or kill deer at night in Conecuh County, Alabama, by any means or device, including but not limited to the use of any type of light.

Section 3. A violation of either section of this Act shall constitute a misdemeanor and upon conviction the person, firm or corporation violating same will be punished by a fine of not less than Five Hundred Dollars (\$500), and at the discretion of the court may also be imprisoned in county jail for not longer than sixty (60) days, for the first offense. Any person, firm or corporation convicted the second time of violating either section of this Act shall be guilty of a misdemeanor and shall be punished by a fine of not less than One Thousand Dollars (\$1,000), and at the discretion of the court may also be imprisoned in the county jail for not longer than ninety (90) days. Any person, firm or corporation convicted of violating either section of this Act the third or subsequent times shall be guilty of a misdemeanor and shall be punished by a fine of not less than One Thousand Dollars (\$1,000), and at the discretion of the court may also be imprisoned in the county jail for not less than ninety (90) days nor longer than six months.

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part that remains.

Section 5. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me August 12, 1971.

HAROLD ADAMS,  
Notary Public.

My commission expires April 7, 1973.

By Mr. Wilson:

S. 1225. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the last or any subsequent federal decennial census; creating a Public Hospital and Health Authority in any such county and prescribing the power, authority and jurisdiction of the Authority; providing for a board of directors of such Authority and for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the Authority shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the Authority; and authorizing any municipality in such counties to transfer and convey to such hospital board with or without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

Committee on Local Legislation No. 1.

By Mr. Wilson:

S. 1226. Relating to counties having populations of not less than 55,500 nor more than 56,500; to authorize and prescribe the use of electronic voting systems in such counties; to authorize the county governing bodies to procure the necessary equipment for using said system.

Committee on Local Legislation No. 1.

By Mr. Edington:

S. 1227. Further regulating creditable service toward retirement under the State Employees' Retirement System; authorizing, requiring and providing for the granting of creditable service to certain present employees of the City of Mobile for services rendered by such employees prior to the time they became members of the State Employees' Retirement System.

Committee on Municipal Government.

By Mr. Wilson:

S. 1228. To alter, rearrange and establish the corporate limits of the City of Carbon Hill, Alabama.

Committee on Local Legislation No. 1.



With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

### A BILL TO BE ENTITLED AN ACT

To alter, rearrange and establish the corporate limits of the City of Carbon Hill, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Carbon Hill, Alabama, in the County of Walker, in said State, be and the same hereby are altered and rearranged so as to include within the corporate limits of said City all of that territory lying within the County of Walker and included within the following boundaries, to-wit:

Beginning at the southeast corner of the  $W\frac{1}{2}$  of Section 29-Twp. 13 South Range 9 West, Walker County, Alabama; thence north along the east line of said  $W\frac{1}{2}$  of section 29 to the northeast corner thereof; thence continue along the east line of the  $W\frac{1}{2}$  of Section 20. T13S-R9W to the northeast corner of said one-half section; thence west along the north line of said  $W\frac{1}{2}$  of sec. 20 to the northwest corner thereof; thence west along the north line of the  $NE\frac{1}{4}$  of  $NE\frac{1}{4}$  section 19-T13S-R9W to the northwest corner of said forty; thence north along the east line of the  $W\frac{1}{2}$  of  $SE\frac{1}{4}$  Section 18-T13S-R9W to the northeast corner of said eighty; thence west along the north line of the  $W\frac{1}{2}$  of  $SE\frac{1}{4}$  and continue along the north line of the  $E\frac{1}{2}$  of  $SW\frac{1}{4}$  of Section 18 to the northwest corner of said eighty; thence south along the west line of said  $E\frac{1}{2}$  of  $SW\frac{1}{4}$  to the southwest corner thereof; thence west along the north line of Section 19-T13S-R9W to the northwest corner of said section; thence west along the north line of Section 24-T13S-R10W to the northwest corner of the  $NE\frac{1}{4}$  of  $NW\frac{1}{4}$  of said section 24; thence south along the west line of the  $E\frac{1}{2}$  of  $NW\frac{1}{4}$  and the west line of the  $E\frac{1}{2}$  of  $SW\frac{1}{4}$  Section 25-T13S-R10W to the southwest corner of said eighty; thence east along the south line of  $SW\frac{1}{4}$  Sec. 24 to the southwest corner of said eighty; thence south along the west line of the  $E\frac{1}{2}$  of  $NW\frac{1}{4}$  and the west line of the  $E\frac{1}{2}$  of  $SW\frac{1}{4}$  Section 25-T13S-R10W to the southwest corner of said eighty, thence east along the south line of said section 25 to the southeast corner thereof; thence east along the south line of section 30-T13S-R9W to the southeast corner of said section 30; thence east along the south line of the  $W\frac{1}{2}$  of Sec. 29 T13S-R9W to the southeast corner of said one-half section which corner is the point of beginning.

Sec. 2. That the boundaries set out in Section 11 of this Act be and the same are hereby established as the corporate limits of the City of Carbon Hill, Walker County, Alabama, and all the territory included and embraced within said boundaries shall hereafter be and constitute a part of the City of Carbon Hill, Walker County, Alabama.

Section 3. That all laws and parts of laws, both general, special and local, in conflict with this Act be and the same are hereby repealed.

Section 4. That this Act shall take effect immediately upon its passage and approved by the Governor.

STATE OF ALABAMA  
COUNTY OF WALKER

Before me, the undersigned authority in and for said State and County, this day personally appeared H. S. PRINCE, JR., PUBLISHER of the Daily Mountain Eagle, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Daily Mountain Eagle for 4 consecutive weeks, Namely: AUGUST 3, 1971, AUGUST 10, 1971, AUGUST 17, 1971, AUGUST 23, 1971.

H. S. PRINCE, JR.

Sworn and subscribed to before me, This 23 day of AUGUST 1971.

R. W. BOTELER, JR.,  
Notary Public.

By Mr. Weaver:

S. 1229. To transfer the appropriation made by Section 8 (a) (vii) of Act No. 94, H. 47 of the Special Session of 1971, to the Alabama Institute for the Deaf and Blind, Talladega, Alabama, for acquisition and construction of an eye, ear, nose and throat clinic, to the State Department of Education, Division of Rehabilitation and Crippled Children to be used by such division for the acquisition, construction and equipping of such clinic.

Committee on Finance and Taxation.

By Mr. Lybrand:

S. 1230. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the City.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama are hereby altered, rearranged and extended so as to include within the corporate limits of the City the

following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

Beginning at the intersection of the Old Anniston-Jacksonville Highway and Parker Boulevard; thence West along the North Side of said Parker Boulevard for a distance of 500 feet; thence North 500 feet to a point; thence in an Easterly direction to the old Jacksonville-Anniston Highway; thence in a Southwesterly direction along the East Side of said Highway to the point of beginning; said property lying adjacent to the corporate limits of the City of Weaver, Alabama.

Also:

All that part of the North Woods Subdivision Addition No. 1, lying East of Connemara Place and being situated in the NE  $\frac{1}{4}$  of Section 4 and the NW  $\frac{1}{4}$  of Section 3, Township 15 South, Range 8 East, Calhoun County, Alabama. Said property being adjacent to the corporate limits of the City of Weaver, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and Aug. 5, all in the years 1971.

PHILLIP SANGUINETTI.

Sworn to and subscribed before me Aug. 20, 1971.

LOLA J. BRIGHT,  
Notary Public.

By Mr. Wilson:

S. 1231. To extend the boundary lines and corporate limits of the town of Sumiton in Walker and Jefferson Counties.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

#### A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundaries of the City of Sumiton in Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Sumiton in Walker County are hereby altered, rearranged, and extended so as to include

within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory:

Commence at the N.W. corner of N.E.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$  Sec. 15 T-15-S R-5-W for the point of beginning. Thence SOUTH along west boundary of said forty to S.W. corner of said forty. Thence continue south in a straight line along west boundary of S.E.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$  a distance of 330.0 ft. Thence east to west property line of Robert Haun property. Thence south along said west line of Robert Haun property to center line of public paved road. Thence east along center line of said public paved road to east line of S.E.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$ . Thence south along east boundary of said forty to S.E. corner. Thence east along south boundary of S.E.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$  to property line that is between Howard Porterfield and Troy Young Thence north along west boundary of Howard Porterfield property line to center line of public paved road. Thence west along said center line of paved public road to the west boundary of S.E.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$ . Thence south along west boundary of said forty to the S.W. corner of said forty. Thence west along south boundary of S.W.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$  Sec. 15 T-15-S R-5-W to center line of old Bryan road. Thence north along center line of old Bryan paved public road to south property line of Lindsey Graham Thence west along Lindsey Graham property line to the west boundary of the S.W.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$ . Thence north to the N.W. corner of N.W.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$  sec. 15 T-15-S R-5-W Thence east along north boundary of said N.W.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$  Sec. 15 T-15-S R-5-W to the N.E. corner of N.W.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$  the point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jacqueline Gober, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, Aug. 4, Aug. 11, and Aug. 18, all in the year 1971.

JACQUELINE GOBER.

Sworn to and subscribed before me Aug. 20, 1971.

R. W. BOTELER, JR.,  
Notary Public.

By Mr. McLain:

S. 1232. To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA**

**MADISON COUNTY**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

Be It Enacted by the Legislature of Alabama:

Section One: The governing body of Madison County, Alabama, and the Madison County License Department are hereby granted authority to establish, when and where deemed necessary and advisable, offices of the County License Department in various locations throughout said county, separate and apart from the offices of said Department located in the Madison County Courthouse building at Huntsville, Alabama.

Section Two: Said offices shall be established at the direction of and operated under the authority and responsibility of the Direction of the Madison County License Department, who shall be and he hereby is authorized and empowered to sell and to collect the fees and charges for automobile, truck, car, trailer, and boat tags and or licenses at such offices when so established.

Section Three: The county governing body shall provide the Director of the License Department with such clerical assistance, quarters, books, stationery and supplies, furniture, equipment, postage, travel expenses and such other conveniences as it may consider necessary for the proper and efficient operation of these various offices.

On or before August 15 of each year, the Director of the License Department shall file with the governing body of Madison County a detailed estimate, in such form as that body may prescribe, showing by items the anticipated financial requirements for the operation of these various offices during the ensuing fiscal year. The governing body of the county shall adopt its budget not later than the first regular meeting in October of each year and the budget so adopted shall make such provision with respect to the financial operation of the License Department as the county governing body may determine reasonable and proper.

Section Four: The county governing body is authorized and may charge a fee, not to exceed One (\$1.00) Dollar, in addition to all other fees or charges made or collected by the Madison County License Department and said charge shall be a convenience fee charged only to those persons who purchase automobile, truck, car, trailer and boat tags and-or licenses at such offices of said department which are

established under and by authority of this Act and operated for the convenience of the citizens of Madison County, Alabama. The said fee shall be paid by the Director of the Madison County License Department to the governing body of said county and paid into the General Fund of said county. Said fee is authorized to offset or compensate Madison County for the operation of those offices located separate and apart from those provided for the Madison County License Department in the Madison County Courthouse and established under and by authority of this Act.

Section Five: The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section Six: All laws or parts of laws which conflict with this Act are repealed.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 28, AUGUST 3, AUGUST 9, and AUGUST 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me AUGUST 16, 1971.

WILLIAM B. BAKER,  
Notary Public.

My Commission Expires 12-17-73.

By Mr. Register:

S. 1233. To amend Act No. 74, H. 39, of the Special Session of 1967 (Acts 1967, p. 105) which Act creates and provides for organization and functioning of a board of jury supervisors for Dale County in lieu of the jury commission, so as to increase the membership of this board.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

STATE OF ALABAMA  
COUNTY OF DALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Act No. 74, H. 39, of the Special Session of 1967 (Acts 1967, p. 105) which Act creates and provides for organization and functioning of a board of jury supervisors for Dale County in lieu of the jury commission, so as to increase the membership of this board.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 74, H. 39 of the Special Session of 1967 (Acts 1967, p. 105), entitled "An Act To apply only in Dale County; creating a board of jury supervisors in lieu of the jury commission; providing for the transfer of the power, authority, duties and jurisdiction of the jury commission to said board, and abolishing the commission; providing for the organization of the board and the times of its meetings; providing for the appointment of the members and a clerk for said board and prescribing their terms, duties and compensation," is hereby amended to read as follows:

"Section 2. The board of jury supervisors shall be composed of seven members, with each county commissioner's district to be represented in the membership of the board by a qualified elector of the district, and the county at large to be represented by two members. Such members of the board together with a clerk for the board shall be appointed by the Governor for and only during the tenure of office of the Governor making the appointment and until their successors are appointed and qualified. Said clerk shall take the oath of office, assist the members of the board in maintaining adequate and sufficient names on the jury rolls, and perform all the duties now required by law of clerks of jury boards and jury commissions in this State. Said clerk shall receive for his services a salary of fifty dollars (\$50) per month, to be paid out of the county treasury upon the order of the president of the board of jury supervisors."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA  
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on July 22, July 29, Aug. 5, and Aug. 12, 1971.

JOSEPH H. ADAMS,  
Publisher.

Sworn to and subscribed before me on this the 19th day of August, 1971.

CELESTE A. WOODS,  
Notary Public.

By Mr. Register:

S. 1234. To provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties.

Committee on Local Legislation No. 1.

By Mr. Malone:

S. 1235. To authorize the Etowah County Commission to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing solid wastes collection and disposal facilities; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the Etowah County Commission, be additionally secured by a pledge or pledges of the revenues from the said facilities, or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such securities shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

STATE OF ALABAMA  
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To authorize the Etowah County Commission to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing solid wastes collection and disposal facilities; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the Etowah County Commission, be additionally secured by a pledge or pledges of the revenues from the said facilities, or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such securities shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county, and any tax proceeds and revenues, or either, pledged to the payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative Intent. It is the intention of the Legislature by the passage of this act to authorize the Etowah County Commission to finance the acquisition by such county of facilities for the collection



and disposal of solid wastes by the sale and issuance of interest-bearing warrants of such county, and to refund any warrants issued hereunder. This act shall be liberally construed in conformity with the said intention.

Section 2. Definitions. Wherever used in this act, unless a different meaning clearly appears in the context, the following terms shall be given the respective interpretations specified in this section.

"County" means Etowah County.

"Governing body" means a municipal corporation in Etowah County.

"State" means the State of Alabama.

"Solid wastes disposal act" means Act No. 771 adopted at the 1969 Regular Session of the Legislature of Alabama.

"Solid wastes collection and disposal facilities" means all real and personal property, including land, structures, trucks and other motor vehicles, incinerators, sanitary land fills, compost plants, and other property of any kind used or useful for collection and disposal (or either) of solid wastes, as that term is defined in the solid wastes disposal act.

Wherever any term defined in Section 1 of the solid wastes disposal act is used in this act, the said term shall be deemed to have the same meaning as that ascribed to it in Section 1 of the solid wastes disposal act.

Section 3. Authorization of Issuance of Warrants. The Etowah county commission shall have the power from time to time to sell and issue interest-bearing warrants of the county for the purpose of paying costs to the county of acquiring and providing solid wastes collection and disposal facilities. Such warrants may be in such denomination or denominations, may have such maturity or maturities not exceeding 30 years from their date, may bear interest from their date at such rate or rates payable at such times, may be payable at such place or places within or without the state, may be sold at such time or times and in such manner, whether publicly or privately, may be executed in such manner, and may contain such terms not in conflict with the provisions of this act, all as the governing body of the county may provide in the proceedings wherein the warrants are authorized to be issued. All such warrants shall evidence general obligation indebtedness of the county and the full faith and credit of the county shall be irrevocably pledged for the payment of the principal thereof and interest thereon. The proceeds derived from the sale of any such warrants shall be used solely for the purpose for which they are authorized to be issued, including the payment of any expenses incurred in connection with the issuance thereof.

Section 4. Special Pledges. The Etowah county commission may, in its discretion assign and specially pledge, for the payment of the principal of and interest on such warrants, so much as may be necessary for said payment of any one or more of the following (or any part thereof):

(a) The proceeds from the general annual ad valorem tax of  $\frac{1}{2}$  of 1 per cent which the county is authorized to levy without reference to the purpose thereof under the provisions of Section 215 of the Constitution of Alabama of 1901;

(b) The proceeds from any other tax (including any ad valorem tax and any privilege, license or excise tax) that at the time of the

issuance of said warrants may lawfully be used by the county for payment of such principal and interest;

(c) The revenue derived by the county from any solid wastes collection and disposal facilities owned, controlled, used, or operated by the county (either alone or in common or jointly with others) including, but without limiting the generality of the foregoing (I) any fees charged by the county for collection and disposal of solid wastes under the provisions of the solid wastes disposal act, (II) any sums payable to the county under any contract made pursuant to Section 5(a) of the solid wastes disposal act, (III) any sums payable to the county by any municipality or other entity, including both public and private entities, for the rendition by such county of solid waste collection service, solid waste disposal service, or either thereof, (IV) any sums that may be payable to the county by any entity as consideration for use of any solid wastes collection and disposal facilities or any part of such facilities owned, controlled or operated by the county (including, but without limitation, sums payable as consideration for either joint or sole use of such facilities and sums payable as rental under a lease of such facilities or an interest therein), and (V) any other sums that may be payable to the county on account of or in connection with its ownership, control, use or operation of any solid wastes collection and disposal facilities, or any part thereof, or in respect of its rendition of solid wastes collection service or solid wastes disposal service.

To the extent necessary and sufficient for making the payments in respect of which such pledge is made, any tax or revenue pledged pursuant to the provisions of this section shall constitute a trust fund or funds which shall be impressed with a lien in favor of the holders of the warrants to the payment of which such sums are pledged. In the event that more than one pledge should be made with respect to any tax or revenue the pledge of which is herein authorized, then such pledges shall take precedence in the order in which they are made unless the proceedings making such pledge shall expressly provide that such pledge shall be on a parity with or subordinate to a subsequent pledge of the said tax. All warrants for which the pledge authorized in this section may be made shall constitute preferred claims against that portion of the said tax or taxes or by the county for operation and maintenance of any solid wastes collection and disposal facilities of the county and any other claims for any other purpose whatsoever.

Section 5. Authorization of Refunding Warrants. The county may in like manner from time to time issue refunding warrants, either by sale or by exchange, for the purpose of refunding a like or greater principal amount of warrants then outstanding which were issued under the provisions of this act and the interest thereon and paying any premium necessary to be paid to retire the outstanding warrants refunded thereby. The provisions of this act applicable to the warrants so refunded shall likewise be applicable to such refunding warrants.

Section 6. Warrants to be Legal Investments for Trust Funds. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers, invest trust funds in warrants issued under the provisions of this act.

Section 7. Issuance of Warrants Deemed to Constitute Audit and Allowance of Claim. The issuance of warrants and any interest coupons applicable thereto, pursuant to the provisions of this act and in accordance with the authorization of the governing body of the county shall be deemed to constitute an audit and allowance by such governing body of a claim, in the aggregate principal amount of such war-

rants and interest coupons, against the county and against any tax proceeds and any revenues, or either thereof, pledged for payment of such warrants pursuant to the provisions of this act. No proof of registration or other audit or allowance of such claim shall be required and such warrants and interest coupons shall, from and after the date of their lawful issuance, be deemed to be allowed claims against the county by which they were issued and against any tax proceeds and revenues, or either, so pledged therefor.

Section 8. Provisions Hereof Control. Insofar as the provisions of this act may be inconsistent with the provisions of any other law, the provisions of this act shall control, it being hereby specifically declared that the provisions of Section 78 of Title 12 of the Code of Alabama of 1940 shall not be applicable to the warrants issued under the provisions of this act.

Section 9. Severability. If any clause or provision of this act shall be, or be declared to be, invalid, any such invalidity shall not affect any other clause or provision hereof that is not in itself invalid.

Section 10. Effective Date. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Dorothy Mince, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Advertising Bookkeeper of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 2, Aug. 9, Aug. 16, and Aug. 23, all in the year 1971.

MRS. DOROTHY MINCE.

Sworn to and subscribed before me August 23, 1971.

WALTER BETZ,  
Notary Public.

#### REPORTS OF COMMITTEES

Mr. Shelby, Chairman of the Standing Committee on Business and Labor, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Stubbs and Lyons:

H. 1004. To amend Subsection I of Section 204, Subsections A, B and D of Section 216, Section 217, Subsection A of Section 218, and Subsection C and Paragraph (1) of Subsection E of Section 240, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to transfer of tax rating experience to a successor employer, claim determinations and redeterminations, hearing and decision of disputed claims, assessment of delinquent contributions, and execution, levy and sale for contributions; all relating to unemployment compensation.

By Messrs. Bowers, Weeks, Stubbs, Barkett, Jones (E) and Waggoner:

H. 1985. To amend Subsection L of Section 214, Title 26, Chapter 4, Code of Alabama 1940, as last amended by Act No. 88, 1971 Regular Session of the Alabama Legislature, relating to denial or reduction of unemployment compensation benefits for receipt of training allowances.

Mr. Lybrand, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Owens and Lyons:

H. 883. To require domestic life insurance companies and Mutual Aid or Fraternal Societies to keep the original records pertaining to operations within the confines of this State; to provide for revocation or suspension of license for failure to do so.

Mr. Noonan, Chairman of the Standing Committee on Seaports, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Noonan and Pelham:

S. 1177. To provide for the creation, incorporation and operation of the Marine Environmental Sciences Consortium; to state the purposes for which the consortium is to be organized and to define its powers; to provide for the member institutions, officers and directors of the consortium; and to grant to the governing boards of the member institutions the authority to make contributions to the consortium.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fite:

H. 242. To amend the title and Section 1 of Act No. 813, H. 1264, Regular Session 1965 (Acts 1965, p. 1520), which act relates to admissibility of evidence in civil actions in courts of certain counties classified on a population basis.

By Messrs. Hill and Flipppo:

H. 354. To regulate further the excusing of persons from jury service in the Eleventh Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

By Messrs. Hill and Flipppo:

H. 355. To allow prospective jurors to be excused without the presence of the defendant in the Eleventh Judicial Circuit of Alabama.

By Messrs. Hill and Flipppo:

H. 356. To abolish the drawing of special venires in capital cases in the Eleventh Judicial Circuit of Alabama.

By Messrs. Hill and Flippo:

H. 357. Relating to criminal procedure in the Eleventh Judicial Circuit; providing for the separation of the jury during the trial of a felony by consent of the parties thereto.

By Messrs. Hill and Flippo:

H. 358. To apply only in the circuit court of the Eleventh Judicial Circuit; to provide that in such court the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

By Messrs. Merrill, Burgess and Stewart:

H. 759. To provide a form of municipal government to be known as the mayor-council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 30,000 nor more than 33,000 according to the most recent federal decennial census; to provide the method by which any such city may adopt the mayor-council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the mayor-council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a mayor and for the filling of vacancies in the office of mayor and to provide the duties and authority of the mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the mayor-council form of government; to make various other provisions for any such city which adopts the mayor-council form of government and for the government thereof; and to provide for the means of abandoning the mayor-council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

By Messrs. Merrill, Burgess and Stewart:

H. 760. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a population of not less than 30,000 nor more than 45,000, according to the most recent federal decennial census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and

the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

By Mr. Barkett:

H. 1274. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Dale County; and the regulation of costs and charges of courts in said county.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Bassett and Hardin:

H. 1420. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census.

By Messrs. Merrill, Burgess and Stewart:

H. 1440. To amend the title and Section 1 of Act No. 400, II. 516, Regular Session 1967 (Acts 1967, p. 1151), which declares the public policy of the State with respect to violation of Section 420, Title 14, Code of Alabama (1940) as amended by an Act approved August 17, 1951 and as further amended by an Act approved July 24, 1953, to determine and declare that the criminal penalties and the remedy at law are inadequate to prevent violation of said statutes to declare that habitual violation of said statutes constitute a legal nuisance, to provide certain exemptions; to prevent unfair competition among merchants through violations of said statutes; to provide for the enforcement by injunction from a court in equity of the provisions of such legal action in certain counties classified on a population basis.

By Mr. Casey:

H. 1502. To apply in counties having populations of not less than 17,000 nor more than 20,000 according to the most recent federal decennial census; to legalize racoon hunting in such counties with shotgun and number eight shot; and to prescribe penalties.

By Mr. Easters:

H. 1504. Relating to law enforcement in any County with a population of not less than 34,100 nor more than 34,900 according to the 1970 decennial census; fixing the fee for the issuance of pistol permits; and providing for the deposit of such fees in the county general fund.

By Mr. Easters:

H. 1505. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an additional expense allowance of \$30.00 per month for each member of the county school board of such counties.

By Mr. Easters:

H. 1506. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an expense allowance of \$150.00 per month to each member of the county commission in such counties.

By Mr. Easters:

H. 1507. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for a raise in the registrars pay of such counties to \$20.00 per day.

By Mr. Easters:

H. 1508. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an expense allowance of \$1,200.00 per annum for the circuit court clerk to compensate for services rendered to the inferior court.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Easters (with amendment):

H. 1509. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance of not less than \$600.00 nor more than \$1,600.00 for the assistant district attorney of the inferior court of such counties.

By Mr. Easters (with amendment):

H. 1510. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance of \$4,000 to \$6,000 for the judge of inferior court to be set by the county commissioner of said counties.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cross and Carter:

H. 1570. Relating to counties having a population not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to provide for the payment to the members of the Board of Equalization of such counties an amount in addition to the present compensation under state law that will equal \$15 per day for the days they attend meetings of the board.

By Messrs: Cross and Carter:

H. 1571. Relating to counties having a population of not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to provide further that all items exempt from statewide sales tax shall automatically be exempt from any county sales tax levied in counties to which this act applies.

By Messrs. Pruitt and Manley (with notice and proof):

H. 1597. To authorize the Sumter County Commission to levy and collect a privilege or excise tax on the privilege of selling, using, con-

suming, distributing, storing or withdrawing from storage in Sumter County malt or brewed beverages; to provide that such tax shall be in addition to all other taxes on such malt or brewed beverage; to prescribe the maximum rate of such tax; to provide for the collection, distribution and use of any tax levied under this act; and to prescribe penalties.

By Messrs. Manley and Pruitt:

H. 1598. To repeal Act No. 185, H. 566, approved July 25, 1963, Regular Session 1963 (Acts 1963, p. 569), entitled, "An Act Relating to counties having populations of not less than 27,000 nor more than 30,000; regulating the compensation of the county superintendent of education of such counties."

By Messrs. Manley and Pruitt:

H. 1599. To repeal Act No. 49, H. 350, approved June 25, 1969, Regular Session 1969 (Acts 1969, p. 342), entitled, "An Act Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances."

By Mr. May (with notice and proof):

H. 1702. To alter and rearrange the boundary lines of the city of Brewton, Alabama so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said city.

By Messrs. Cross and Carter:

H. 1717. To amend the title and Section 1 of Act No. 611, H. 754, Regular Session 1967 (Acts 1967, p. 1416), which provides for the appointment of an additional clerk as assistant to the clerk by the circuit court clerk in certain counties classified on a population basis.

By Messrs. Cross and Carter:

H. 1718. To amend the title and Section 1 of Act No. 1182, H. 1320, Regular Session 1969 (Acts 1969, p. 2211), which provides for the qualifications of the superintendent of education in certain counties classified on a population basis.

By Messrs. Cross and Carter:

H. 1719. To amend the title and Section 1 of Act No. 63, H. 651, Regular Session 1969 (Acts 1969, p. 354), which provides for the compensation of county superintendents of education in certain counties classified on a population basis.

By Messrs. Cross and Carter:

H. 1720. To repeal Act No. 27, H. 287, approved June 25, 1965, Regular Session 1965 (Acts 1965, p. 47), entitled, "An Act To regulate the compensation of county superintendents of education in counties having populations of not less than 24,500 nor more than 24,550."

By Messrs. Cross and Carter:

H. 1721. To amend the title and Section 1 of Act No. 612, H. 755, Regular Session 1967 (Acts 1967, p. 1416), which provides for the appointment and compensation of a clerk for the sheriff in certain counties classified on a population basis.



By Messrs. Cross and Carter:

H. 1722. To repeal Act No. 305, H. 306, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 774), entitled, "An Act To authorize the county governing body of every county in Alabama, which has a population of not less than 22,550 nor more than 24,550 according to the last or any subsequent federal decennial census, to fix the compensation of the clerk employed by the sheriff, but paid from the county treasury, within limits prescribed in this act and provided for the payment thereof in whole or in part out of the county highway and traffic control fund or out of the general fund."

By Messrs. Cross and Carter:

H. 1723. To amend the title and Section 1 of Act No. 142, H. 508, Regular Session 1969 (Acts 1969, p. 414), which provides for compensation of members of the county board of registrars in certain counties classified on a population basis.

By Messrs. Cross and Carter:

H. 1724. To repeal Act No. 49, H. 286, approved June 28, 1965, Regular Session 1965 (Acts 1965, p. 70), entitled, "An Act To regulate and provide for payment of the compensation of certain deputies of the sheriff in counties having populations of not less than 24,500 nor more than 24,550."

By Messrs. Cross and Carter:

H. 1725. To repeal Act No. 63, H. 434, approved June 30, 1961, Regular Session 1961 (Acts 1961, p. 84), entitled, "An Act To fix the compensation of the county superintendents of education in all counties having populations of not less than 22,550 nor more than 24,550, according to the 1960 or any subsequent federal decennial census."

By Messrs. Cross and Carter:

H. 1726. To repeal Act No. 665, H. 744, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1186), entitled, "An Act Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county."

By Messrs. Cross and Carter:

H. 1727. To amend the title and Section 1 of Act No. 141, H. 507, Regular Session 1969 (Acts 1969, p. 413), which provides for an allowance for uniforms for the sheriff, his deputies and other employees of the sheriff's department in certain counties classified on a population basis.

By Messrs. Cross and Carter:

H. 1728. To amend the title and Section 1 of Act No. 178, H. 509, Regular Session 1965 (Acts 1965, p. 249), which provides for the promotion of industry in certain counties classified on a population basis.

By Messrs. Cross and Carter:

H. 1729. Relating to all counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census, further regulating the compensation and allowances of the members of the board of revenue or courts of commissioners.

By Messrs. Cross and Carter:

H. 1730. To repeal Act No. 171, H. 184, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 235), entitled, "An Act Relating to all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue."

By Mr. Casey:

H. 1798. Relating to all counties having populations of not less than 17,000 nor more than 20,000, according to the most recent federal decennial census; to fix the salary of the county solicitor and to prescribe the method of payment of such salary.

By Mr. Barkett (with notice and proof):

H. 1826. Relating to Dale County: providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

By Mr. Barkett (with notice and proof):

H. 1827. Relating to the County Commission of Dale County; re-dividing the county into four Commission districts; providing for the election and terms of the members of the Commission and for the election of a fifth member as Chairman of the Board of Commissioners, relieving the Probate Judge of all his duties and authority as Chairman of the Commission.

By Mr. Barkett (with notice and proof):

H. 1828. Relating to Dale County, authorizing nighttime hunting of raccoons, bobcat and fox with a rifle or shotgun; repealing conflicting laws.

By Messrs. Turnham, Brassell and Adams (with notice and proof):

H. 1846. To amend Act No. 369, H. 781, Regular Session 1963 (Acts 1963, p. 868), providing expense allowances for members of the Lee County Commission so as to make further provisions respecting allowances for the members and chairman of such commission.

By Mr. May:

H. 1847. Relating to counties having a population not less than 34,875 nor more than 36,000 according to the most recent federal decennial census; to provide for an increase in the bailiffs pay to \$10.00 per day in such counties.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Waldrop, Carnes and Wynot (with notice and proof) (with amendment):

H. 1895. Relating to membership of municipal and volunteer firefighters and police officers in Etowah County, Alabama, in organizations asserting the right to strike; prohibiting participation by firefighters and police officers in any strike against any municipality in

Etowah County, Alabama, and prohibiting their membership in any organization that asserts the right to strike against a municipality in Etowah County, Alabama; relating to their right to collective bargaining; and to provide for an arbitration procedure in the event the parties cannot reach an agreement.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Coshatt:

H. 1901. Relating to all counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licenses of liquor in half-pint and miniature packages, the amount thereof dependent upon whether said sales occur within the police jurisdiction and outside the corporate limits of municipalities or outside the police jurisdiction of municipalites, no tax being imposed upon sales occurring within corporate limits; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales to be made, and providing penalties for violations of this Act.

By Mr. Coshatt:

H. 1902. Relating to counties having a population of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to provide for a deputy coroner for said counties to be appointed by the coroner of said counties; the deputy coroner to reside in the Northern Judicial Division of said counties if the coroner resides in the Southern Judicial Division of said counties or the deputy coroner must reside in the Southern Judicial Division of said counties if the coroner resides in the Northern Judicial Division of said counties; the deputy coroner is to be paid \$100.00 for each month said deputy coroner serves and a mileage allowance of 10¢ per mile.

By Mr. Coshatt:

H. 1903. Relating to counties having a population of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to provide for a mileage allowance of 10¢ per mile for the coroner of such counties to which this Act applies.

By Mr. Kinsey:

H. 1904. To repeal Act No. 53, H. 247, approved September 27, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 79) entitled "An Act relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; further providing for the sale of licenses, boat tags, transfers and replacements for the department of conservation in such counties, transferring certain duties of the probate judge to the commissioner of licenses; relieving the probate judge of such duties; and repealing conflicting Acts", and to provide an effective date.

By Mr. Kinsey:

H. 1905. To repeal Act No. 52, H. 246, approved September 27, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 78) entitled "An Act relating to counties having a population of not less than 57,000

nor more than 61,000 according to the last or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the Probate Judge to the Tax Collector; relieving the Probate Judge of such duties; and repealing conflicting Acts", and to provide an effective date.

By Mr. Kinsey:

H. 1906. To repeal Act No. 642, H. 851, approved September 8, 1967 (Acts of Alabama 1967, Vol. II, Page 1454) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessors and tax collectors of such counties", and to provide an effective date.

By Mr. Kinsey:

H. 1907. To repeal Act No. 360, H. 370, approved September 12, 1966 (Acts of Alabama, Special Session 1966, Page 502) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000; providing an expense allowance for the chairman or president of the court of county commission, board of revenue or other like county governing body", and to provide an effective date.

By Mr. Kinsey:

H. 1908. To repeal Act No. 380, H. 690, approved August 26, 1953 (Acts of Alabama 1953, Vol. I, Page 450) entitled "An Act to authorize the tax assessor and tax collector of any county having a population of not less than 57,000 nor more than 63,700 inhabitants, according to the last or any subsequent federal decennial census, which compensates its tax assessor and tax collector on a salary basis, to retain any fee, commission, percentage or other compensation authorized to be paid to them for assessing or collecting any tax due a city or town" and to provide an effective date.

By Mr. Kinsey:

H. 1909. To repeal Act No. 124, H. 250, approved July 10, 1963 (Acts of Alabama, 1963, Vol. I, Page 499) entitled "An Act to regulate further the bail bond business in counties having populations of not less than 57,000 nor more than 61,000; amending Code of Alabama 1940, Title 15, Section 201" and to provide an effective date.

By Mr. Kinsey:

H. 1910. To repeal Act No. 118, H. 146, approved August 24, 1964 (Acts of Alabama, Special Session 1964, Vol. I, Page 178) entitled "An Act to provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000" and to provide an effective date.

By Mr. Kinsey:

H. 1911. To repeal Act No. 38, H. 107, approved October 29, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 254) entitled "An Act relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the county governing bodies of such counties to reimburse the tax collectors of such counties for certain losses incurred in the routine operation of their offices" and to provide an effective date.

By Mr. Kinsey:

H. 1912. To repeal Act No. 598, H. 647, approved September 8, 1967 (Acts of Alabama 1967, Vol. II, Page 1383) entitled "An Act to increase the compensation of each employee in the office of the clerk of the circuit court of every county having a population of not less than 57,000 nor more than 61,000; and to provide for the payment thereof;" and to provide an effective date.

By Mr. Kinsey:

H. 1913. To amend the title and Section 1 of Act No. 197, H. 606, approved July 30, 1965 (Acts of Alabama, Regular Session 1965, Vol. I, Page 280) entitled "An Act to apply only in counties of the State having populations of not less than 55,000 nor more than 60,000 inhabitants, according to the last or any subsequent federal decennial census; to further regulate the taking of fish from public streams and impounded water; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken" so that said Act, after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 56,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

By Mr. Kinsey:

H. 1914. To repeal Act No. 687, H. 949, approved September 8, 1967 (Acts of Alabama, 1967, Vol. II, Page 1513) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to provide additional clerical help for the circuit court clerk", and to provide an effective date.

By Mr. Kinsey:

H. 1915. To repeal Act No. 669, S. 788, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1204) entitled "An Act relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census, to provide an expense allowance for each of the probation officers of the county court; to repeal conflicting laws", and to provide an effective date.

By Mr. Benton:

H. 1916. To amend the title and Section 1 of Act No. 373, H. 445, approved September 12, 1966 (Acts of Alabama, Special Session 1966, Page 512) entitled "An Act to define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census; to create a barber's commission for said counties and define the powers and duties of said barber's commission; to provide for an inspector; and to provide a penalty for the violation of the provisions hereof"; so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law shall apply to all counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census; and to provide an effective date.

By Mr. Benton:

H. 1917. To amend the title and Section 1 of Act No. 998, S. 498, approved September 9, 1961 (Acts of Alabama 1961, Vol. II, Page 1576) entitled "An Act to provide that in all counties having populations of

not less than 55,000 nor more than 60,000 inhabitants according to the 1960 Federal Decennial Census, or any subsequent Federal Decennial Census of the United States, the governing body of the county may transfer to the sheriff any supervision and control it has over county convicts" so that said Act after passage and approval of this Act by the Governor or upon its otherwise becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census, and to provide an effective date.

By Mr. Benton:

H. 1918. To amend the title and Section 1 of Act No. 975, H. 1419, approved September 12, 1969 (Acts of Alabama 1969, Vol. II, Page 1720) entitled "An Act to provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any judge of probate or license commissioner charged with the duty of issuing such license tag" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law shall apply to all counties having populations of not less than 54,500 nor more than 56,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

By Mr. Benton:

H. 1919. To amend the title and Section 1 of Act No. 481, S. 547, approved August 19, 1969 (Acts of Alabama 1969, Vol. I, Page 940) entitled "An act relating to all counties having populations of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; authorizing the employment of a deputy clerk for the jury commission and providing for his duties, tenure and compensation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census and to provide an effective date.

By Mr. Benton:

H. 1920. To repeal Act No. 638, S. 650, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1167) entitled "An act to provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any judge of probate or license commissioner charged with the duty of issuing such license tag", and to provide an effective date.

By Mr. Benton:

H. 1921. To repeal Act No. 440, H. 801, approved August 19, 1969 (Acts of Alabama 1969, Vol I, Page 875) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000 providing an expense allowance payable from the County Treasury for the use of the coroner" and to provide an effective date.

By Mr. Benton:

H. 1922. To repeal Act No. 577, S. 539, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1063) entitled "An Act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing further for the expense allowances of the chairman of the county governing body", and to provide an effective date.

By Mr. Benton:

H. 1923. To repeal Act No. 576, S. 538, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1062) entitled "An Act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing further for the expense allowances for the members of the county governing body" and to provide an effective date.

By Mr. Benton:

H. 1924. To repeal Act No. 480, H. 1033, approved September 6, 1957 (Acts of Alabama 1957, Vol. I, Page 662) entitled "An Act to provide further for the compensation of the circuit judge in every circuit composed of only one county having only one circuit judge and a population of not less than fifty-three thousand nor more than sixty-three thousand inhabitants according to the last or any subsequent federal decennial census" and to provide an effective date.

By Mr. Benton:

H. 1925. To repeal Act No. 250, H. 601, approved August 1, 1961 (Acts of Alabama 1961, Vol. I, Page 274) entitled "An Act to prohibit the taking of fish from the public waters of all counties having a population of not less than 57,000 nor more than 61,000, according to the 1960 or any subsequent federal decennial census, with hoop or fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws" and to provide an effective date.

By Mr. Benton:

H. 1926. To repeal Act No. 727, H. 976, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1043) entitled "An Act fixing the compensation of the chairman of the board of revenue, court of county commissioners or other like county governing body in all counties having populations of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census", and to provide an effective date.

By Mr. Benton:

H. 1927. To repeal Act No. 381, H. 873, approved August 30, 1963 (Acts of Alabama 1963, Vol. II, Page 884) entitled "An Act relating to counties having populations of not less than 57,000 nor more than 61,000; providing for payment of special supplementary allowances for probation officers of the juvenile courts of such counties", and to provide an effective date.

By Mr. Benton:

H. 1928. To repeal Act No. 65, H. 48, approved March 19, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 78) entitled "An Act relating to counties of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census; providing for the payment of an expense allowance to the probate judges of such counties, and giving the Act limited retroactive effect", and to provide an effective date.

By Mr. Benton:

H. 1929. To repeal Act No. 65, H. 48, approved March 19, 1965, (Acts of Alabama, Special Session 1965, Vol. I, Page 79) entitled "An Act relating to counties of not less than 57,000 nor more than 61,500

inhabitants according to the 1960 or any subsequent federal decennial census; providing for the payment of an expense allowance to the probate judges of such counties, and giving the Act limited retroactive effect", and to provide an effective date.

By Messrs. Connell and Crawford:

H. 1931. To repeal Act No. 553, H. 1094, approved August 29, 1969, entitled, "Relating to certain county officers in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; providing expense allowances for the probate judge, the tax assessor and the tax collector; and prescribing an effective date and an expiration date for this Act." (Acts of 1969, p. 1037)

By Messrs. Connell and Crawford:

H. 1932. To repeal Act No. 556, H. 1129, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1039), entitled, "An Act To fix the compensation of the sheriffs of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws."

By Messrs. Connell and Crawford:

H. 1933. To repeal Act No. 321, H. 759, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 800), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000; providing expense allowances for members of the court of county commissioners, board of revenue, or other like county governing body."

By Messrs. Connell and Crawford:

H. 1934. To repeal Act No. 914, H. 1300, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1645), entitled, "An Act To apply only in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization and repealing conflicting law."

By Messrs. Connell and Crawford (with notice and proof):

H. 1935. Relating to Houston County; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department; to authorize the county governing body to prescribe the exact amount of such salaries.

By Messrs. Connell and Crawford:

H. 1936. To repeal Act No. 1240, H. 1539, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2342), entitled, "An Act To provide for the compensation of the register of the circuit court of any county having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census."

By Messrs. Connell and Crawford (with notice and proof):

H. 1937. Relating to Houston County; to provide for the compensation of the judge of probate in such counties.

By Messrs. Connell and Crawford (with notice and proof):

H. 1938. Relating to Houston County; to regulate the compensation of jurors.



By Messrs. Connell and Crawford (with notice and proof):

H. 1939. Relating to Houston County; to provide an additional and alternative method of assessing, paying taxes on, and issuing license tags for motor vehicles.

By Messrs. Connell and Crawford (with notice and proof):

H. 1940. Relating to Houston County; regulating the compensation of registrars and providing for payment of additional compensation to them by the county.

By Messrs. Connell and Crawford (with notice and proof):

H. 1941. To apply to the 20th Judicial Circuit composed of Houston and Henry Counties, relating to additional compensation and method of payment of the official court reporters.

By Messrs. Connell and Crawford (with notice and proof):

H. 1942. To amend the title and Section 1 of Act No. 390, H. 904, Regular Session 1963 (Acts 1963, p. 891), which authorizes domino games in billiard rooms in certain counties classified on a population basis.

By Messrs. Connell and Crawford (with notice and proof):

H. 1943. Relating to Houston County; to increase the compensation of the members of the jury commission.

By Messrs. Connell and Crawford (with notice and proof):

H. 1944. To provide for the compensation and method of payment of the Clerk of the Circuit Court of Houston County, Alabama.

By Mr. Connell:

H. 1945. To repeal Act No. 1241, H. 1540, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2342), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for the compensation of the clerk of the circuit court in such counties."

By Messrs. Connell and Crawford:

H. 1946. To repeal Act No. 583, S. 647, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1069), entitled, "An Act To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census."

By Messrs. Connell and Crawford:

H. 1947. To repeal Act No. 557, H. 1130, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1039), entitled, "An Act Regulating the compensation of registrars of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for payment of additional compensation to them by the county."

By Messrs. Connell and Crawford:

H. 1948. To repeal Act No. 912, H. 1298, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1643), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to increase the compensation of the members of the jury commission in such counties; to repeal conflicting laws."

By Messrs. Connell and Crawford:

H. 1949. To repeal Act No. 394, H. 1017, approved August 12, 1969, Regular Session 1969 (Acts 1969, p. 770), entitled, "An Act To regulate the compensation of jurors in counties having populations of not less than 50,000 nor more than 54,000."

By Messrs. Connell and Crawford:

H. 1950. To repeal Act No. 805, H. 1016, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1449), entitled, "An Act Relating to additional compensation paid official court reporter in all circuits composed of two counties, having two circuit judges, and in which one county having a population of not less than 50,000 nor more than 51,000 according to the most recent federal decennial census."

By Messrs. Connell and Crawford:

H. 1951. To repeal Act No. 558, H. 1131, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1040), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department in such counties; to authorize the county governing body to prescribe the exact amount of such salaries; to repeal conflicting laws."

By Messrs. Connell and Crawford:

H. 1952. To repeal Act No. 555, H. 1128, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1038), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to provide for the compensation of the judge of probate in such counties; to repeal conflicting laws."

By Messrs. Turnham, Brassell and Adams:

H. 1956. To authorize the governing body of any county having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, and the governing bodies of the municipalities in any such county to establish jointly a parking and transit authority as a public corporation for the purpose of financing, acquiring, constructing, enlarging, equipping, improving, maintaining, developing, and operating facilities for parking motor vehicles, and acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating a public transit system, and related facilities including offices for any such authority, and leasing or letting such buildings, structures or facilities; to authorize such authority to issue bonds of indebtedness, enter into contracts, acquire and dispose of properties; to exercise powers, privileges and rights necessary; to provide that such bonds shall be negotiable instruments; and to provide for the dissolution of the authority and the disposition of its property.

By Messrs. Turnham, Brassell and Adams:

H. 1957. Relating to counties having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census; to authorize the county commission in such counties to appropriate \$604.57 out of the appropriate fund in the county treasury for the relief of Homer B. Dupree.

By Messrs. Cross and Carter:

H. 1969. To repeal Act No. 684, H. 942, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1510), entitled, "An Act Relating to counties having populations of not less than 22,500 nor more than 24,550 according to the most recent federal decennial census, whose roads and bridges are constructed, maintained and repaired by the state highway department; forbidding the judge of probate of any such county to remit to the state highway department moneys collected by him from that part of the motor vehicle and trailer license taxes allocated to the county; to require such judges of probate to deposit such moneys in a special fund in the county treasury; and to prescribe the use thereof."

By Messrs. Merrill, Stewart and Burgess (with notice and proof):

H. 1974. To alter, rearrange and extend the boundary lines and corporate limits of the City of Piedmont in Calhoun County.

By Mr. May (with notice and proof):

H. 1976. Relating to Escambia County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

By Mr. May (with notice and proof):

H. 1977. Relating to Escambia County; to make it unlawful to take deer from public waters; to provide for the seizure and confiscation of property used in the taking of deer from public waters.

By Mr. May (with notice and proof):

H. 1978. Relating to Escambia County; providing for the publication of only one annual financial statement.

By Mr. May (with notice and proof):

H. 1979. Relating to Escambia County; providing for accounts against the county not having to be certified and sworn to.

By Messrs. Connell and Crawford:

H. 1912. To repeal Act No. 212, S. 255, approved July 25, 1963, Regular Session 1963 (Acts 1963, P. 611), entitled, "An Act To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 50,000 nor more than 54,000."

By Messrs. Connell and Crawford (with notice and proof):

H. 2013. To provide for the compensation and method of payment of the Register of the Circuit Court of Houston County, Alabama, In Equity.

By Mr. Turnham:

H. 2037. Relating to counties having populations of not less than 61,000 nor more than 62,000; providing further for the compensation of the members of the board of equalization and the meeting dates of such board.

By Mr. Fite (with notice and proof):

H. 2038. Relating to Marion County; abolishing the Marion County Board of Revenue and creating the Marion County Commission for Marion County in lieu thereof.

By Messrs. Manley and Pruitt:

H. 2060. To repeal Act No. 413, H. 879, approved August 7, 1961, Regular Session 1961 (Acts 1961, p. 431), entitled, "An Act To fix the compensation of the deputy solicitor of all counties having a population of not less than 27,000 nor more than 30,000, according to the 1960 or any subsequent federal decennial census."

By Messrs. Manley and Pruitt:

H. 2061. Relating to counties having a population of not less than 23,800 nor more than 23,925, according to the most recent federal decennial census; to fix the compensation of the deputy solicitor.

By Messrs. Manley and Pruitt:

H. 2077. To amend the title and Section 1 of Act No. 179, H. 518, Regular Session 1965 (Acts 1965, p. 250), which Act provides further for an expense allowance for the members of the county commissions of certain counties classified on a population basis.

By Messrs. Reynolds and Goodwin:

H. 2086. Relating to counties having populations of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census: providing for additional meeting days of boards of equalization in such counties.

By Mr. Coshatt (with notice and proof):

H. 2089. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

By Messrs. Mims and Warren (with notice and proof):

H. 2142. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

By Messrs. Goodwin and Reynolds:

H. 2144. To amend the title and Section 1 of Act No. 111, H. 169, Special Session 1962 (Acts 1962, p. 146) which provides for additional meetings of boards of registrars in certain counties classified on a population basis.

By Messrs. Goodwin and Reynolds:

H. 2145. To amend the title and Section 1 of Act No. 354, H. 648, Regular Session 1961 (Acts 1961, p. 373) which relates to the registration of voters and relieves the members of the board of registrars from the duty of visiting precincts or voting places in the performance of their official duties in certain counties classified on a population basis.

By Messrs. Goodwin and Reynolds:

H. 2146. To repeal Act No. 1193, H. 1432, approved October 17, 1969, Regular Session 1969 (Acts 1969, p. 2231), entitled, "An Act To fix the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; to repeal conflicting laws; and to provide for a referendum."

By Messrs. Goodwin and Reynolds:

H. 2147. To repeal Act No. 735, H. 35, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1305), entitled, "An Act Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective."

By Messrs. Goodwin and Reynolds:

H. 2148. To amend the title and Section 1 of Act No. 26, H. 77, Third Special Session 1965 (Acts 1965, p. 235) which authorizes the expenditure of county funds for contributions to non-profit Community Action Committees, boards and groups formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity, in certain counties classified on a population basis.

Mr. Wilder, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. King:

S. 394. To amend Section 2 of Act No. 63 adopted at the Extraordinary Session of the Legislature of Alabama of 1971, relating to the uniform disposition of unclaimed and abandoned property, so as to provide for the disposition of traveler's checks that have been outstanding for more than fifteen years from their date of issuance and to amend Section 11 of the said Act to provide for the inclusion of certain items in the initial report required to be filed in the said Section 11.

By Mr. Gilmore:

S. 1142. To amend Code of Alabama, 1940, Title 5, Section 131, so as to authorize and approve the use of automatic unmanned cash dispensing machines by banks on each day of the week including Sunday.

By Mr. Waggoner, et al:

H. 495. To amend Section 133 of Title 5, Code of Alabama, 1940, relating to banks and banking; requiring banks to remit at par.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Register:

S. 998. To propose an amendment to the Constitution of Alabama, amending Amendment XCIII, adopted November 19, 1952, so as to authorize the Legislature to provide for the manufacture, distribution and use on motor vehicles of personalized prestige license plates or tags which may be procured by payment of a fee or charge in addition to the regular fee, excise or license tax for the registration, operation and use of the motor vehicle upon the public highways, and to provide for the use of the moneys derived from such fees or charges.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Jackson and Wise (with notice and proof):

H. 660. Relating to Covington County, Alabama; to abolish the fine and forfeiture fund of Covington County; to provide for the payment of all fines and forfeitures collected into the general fund of the county; to provide for the payment of certain claims from the general fund of the county in lieu of the fine and forfeiture fund and to provide for the registration of those claims now outstanding and those hereafter accruing.

By Messrs. Cross and Carter (with notice and proof):

H. 692. Relating to Lawrence County; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations.

By Mr. Pruitt:

H. 550. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, and Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds

from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

By Mr. Pruitt:

H. 551. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

By Mr. Wood:

H. 258. To make an additional appropriation to the Office of the Attorney General from the General Fund.

By Messrs. Merrill, Burgess and Stewart:

H. 12. To provide a state scholarship program to promote the education of nurses at the Lurleen B. Wallace School of Nursing, Jacksonville State University; and making appropriations therefor.

By Mr. Ellis, et al:

H. 80. Relating to education; providing for The Drug Abuse Education Act of 1971; establishing a program of drug, narcotic, alcohol and tobacco education; providing for the administration and regulation of such program; and providing an appropriation therefor.

By Mr. Grainger, et al:

H. 108. To provide a state scholarship program to promote the education of nurses at the Division of Nursing, University of Alabama, Huntsville, Alabama; and making appropriations therefor.

By Mr. Hobbie, et al:

H. 167. To make an additional appropriation to the Alabama Board of Nursing for the purchase of office supplies and equipment.

By Mr. Smith (P):

H. 287. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Roberts, et al:

H. 398. To provide a state scholarship program to promote the education of nurses at the School of Nursing, University of South Alabama; and making appropriations therefor.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Parker (H) and Doss (with amendment):

H. 79. To amend Act No. 768, H. 566, Regular Session 1967, (Acts 1967, p. 1624) which relates to compensation of election officers in counties which have a population in excess of 500,000, according to the most recent federal decennial census, by awarding additional compensation to any person acting as returning officer at each polling place.

By Mr. Falkenberg, et al (with amendment):

H. 307. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338, H. 321, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Gafford, et al (with substitute):

H. 363. To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of 500,000 or more, according to the last or any subsequent Federal census, general jurisdiction and authority, concurrent with that of the Circuit Courts, in Equity and Law, of this State in the administration of estates and for other and additional matters which the Probate Courts have original or general jurisdiction, in addition to those conferred by Act No. 633, page 1000, General Acts of the 1939 Regular Session; and to confer on the Judges of Probate Courts of such counties the same powers and authority which judges of the Circuit Court now have; to determine ownership of funds paid to the Probate Court as awards under Eminent Domain proceedings (Title 19, Section 27, Code of Alabama 1958 Recompiled), to determine the reinvestment of such funds of minors and Non Compos Mentis persons, and to determine the disposition of funds of a patient of the State Hospitals for Mental Patients which have been paid to the Judge of Probate; to provide for the pleading, practice and procedure in such matters, and for the assessment and collection of fees, commissions and costs of court for the performance of the duties authorized by this act.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on



the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Timmons, et al (with amendment):

H. 404. Relating to the Tenth Judicial Circuit, Bessemer Division providing for the appointment, duties, and compensation of one additional Assistant Deputy District Attorney in such Circuit.

By Mr. Timmons, et al (with amendment):

H. 405. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

By Mr. Doss, et al (with amendment):

H. 442. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is \$100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of \$100.00 and does not exceed the sum of \$500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof; to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary: to provide for the abolishment of the Jefferson County Court of General Sessions: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

By Mr. Meeks, et al (with amendment):

H. 463. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Mr. Cherner, et al (with amendment):

H. 685. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dill, et al (with substitute):

H. 736. To further amend Act No. 134 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, p. 201), approved July 7, 1965, as heretofore amended, which Act authorized the Mayor of any city having a population of 300,000 or more, according to the last or any subsequent federal census, to employ for and in behalf of said city a chief administrative assistant to the Mayor to serve at the pleasure of the Mayor.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Parker, et al (with amendment):

H. 1085. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Jones (E), et al:

H. 1094. To provide retirement allowances for elected officials and former elected officials of all municipalities of the state having a population of 300,000 or more according to the last and any subsequent federal census.

By Messrs. Gilmore, Hawkins, Dominick, Cook, King, Vacca and Bailes (with notice and proof):

S. 1170. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

By Mr. Bowers, et al (with notice and proof):

H. 1405. To authorize the governing body of Jefferson County, Alabama, to adopt ordinances or a fire prevention code applying only to fire districts created under Act No. 79 of the Special Session of the Legislature of Alabama of 1966 (Ala. Acts, Special Session 1966, p. 106 et seq.); to provide that such ordinances or code may prescribe plans and specifications for buildings, designed to prevent the occurrence, or spread, of fires in buildings, or to minimize the damages caused by fires; to authorize the governing body of such county to prevent the use of any building in conflict with any such ordinance or fire prevention code; to authorize such governing body to employ inspectors to enforce such ordinances or fire prevention code and to charge inspection fees of the owners of the property inspected; to authorize such governing body to enter into a contract with any fire district, providing for the district to make such inspections and providing for the county to pay the district for such inspections; to provide that any person violating any such ordinance or fire prevention code shall be guilty of a misdemeanor and shall be punished as provided for by Section 327, Title 15, Code of Alabama of 1940; to repeal all laws, or parts of laws, in conflict with this act; and to provide when this act shall become effective.

By Mr. Timmons, et al (with notice and proof):

H. 1531. To provide for and create the Jefferson County racing commission for the regulation, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the pari-mutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violations of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Boles, et al (with amendment):

H. 1697. To fix the compensation or salary of the assistant judges of probate or deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and provide for payment thereof.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Meeks, et al:

H. 2137. To propose an amendment to the Constitution of Alabama authorizing the Mountain Brook School District in Jefferson County to levy and collect, subject to approval of the qualified electors of the said district, a special district ad valorem tax for public school purposes in the said district.

The above bill was read a second time at length as required by the Constitution.

By Mr. Dill, et al:

H. 2222. To authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 1500 feet of any public hospital of the County, in order to provide parking for employees, hospital staff, and others having business with or visiting such hospital, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy and collect or to fix charges and fees for the use of such off-street parking facility and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest there-

on and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required.

Mr. Owen, Chairman of the Standing Committee on Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Jones and Lyons:

H. 1244. To amend Section 16, Act No. 576, Acts of Alabama 1959, p. 1442, entitled "AN ACT Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act.", as heretofore amended, so as to increase the boat registration fees of Classes I through V, and increase issuance fees on all certificates.

By Mr. Clark:

S. 692. To authorize the Director of Conservation to establish by regulation the methods and set the seasons for the catching or taking of shrimp from the waters of Alabama; and to authorize the Director of Conservation to set the legal size of such shrimp.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Casey (with notice and proof):

H. 2203. Relating to Cleburne County, regulating the purchase, sale, and exchange of property for the county and providing for and requiring competitive bidding on certain contracts; providing a central purchasing system for the county and county officers and departments; designating a county purchasing agent; to provide for an inventory of county property and equipment; to provide for labeling of all county property and equipment; prescribing penalties.

By Mr. Williams (with notice and proof):

H. 2211. To alter and rearrange the boundary lines of the City of Stevenson, Jackson County, Alabama, so as to exclude certain territory now within the corporate limits of said City and annex certain other territory not now within the corporate limits of said City.

By Mr. Easters:

H. 2219. Relating to the appointment of the Superintendent of Education by the County School Board in counties having a population of not less than 34,100 and not more than 34,900 according to the most recent federal decennial census.

By Mr. Snell (with notice and proof):

H. 2225. To alter, rearrange and extend the boundary lines and corporate limits of the City of Lanett in Chambers County.

By Mr. Snell (with notice and proof):

H. 2226. To fix the fee for issuance of a pistol permit by the sheriff in Chambers County and for the distribution and use of the revenue derived therefrom.

By Mr. Snell (with notice and proof):

H. 2227. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as amended by Act No. 605, H. 702, Special Session 1967, (Acts 1967, p. 1394), An Act fixing the compensation of the deputy solicitor of Chambers County.

By Mr. Baker (with notice and proof):

H. 2259. Relating to DeKalb County; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

By Messrs. Turner and Cottingham:

H. 2314. To amend Act No. 178, H. 21 of the 1961 Special Session (Acts 1961, p. 2147), which authorizes each county to promote its development by acquiring and leasing property suitable for certain industrial and commercial purposes and for the purpose of financing such acquisition to issue revenue bonds and pledge to the payment of such bonds the rentals of such properties, amending the title and Sections 1, 2, 3 and 4 of such act so as to authorize counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census, to acquire properties suitable for facilities for the federal government and to lease such properties to the federal government in the same manner authorized for other projects under this act; and to exempt bonds issued hereunder from the usury laws.

By Mr. Jones (F):

H. 2336. To authorize each municipality at any time having a population as great as 70,000 and not exceeding 135,000, according to the then next preceding Federal Census, to acquire, own, improve, maintain, and operate within the county in which such municipality is located, a public transit system for the transportation of passengers for hire; to provide that any such municipality shall have the power to expend moneys with respect to any such system; and to provide for the use by any such municipality of public roads in the said county in the operation of such system.

By Mr. Shelby:

S. 1026. Relating to Circuits composed of one County having a population of not less than 110,000 nor more than 160,000: To create and establish therein the office of ex-officio judge of any county court exercising original jurisdiction over general misdemeanor cases.

By Messrs. Carnes, Waldrop and Wynot:

H. 2262. Relating to the residence of employees of municipalities having a population of not less than 50,000 nor more than 60,000, according to the most recent federal decennial census.

By Messrs. Carnes, Waldrop and Wynot:

H. 2240. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent Federal decennial census; to designate the chairman of Solid Waste and Park and Recreation Authorities in such counties; to authorize Solid Waste and Park and Recreation Authorities in such counties to adopt by-laws.

By Mr. Easters:

H. 475. To amend the title and Section 1 of Act No. 329, H. 592, Regular Session 1961 (Acts 1961, p. 356), which Act imposes additional duties upon the members of the county commission and provides for compensation therefor in certain counties classified on a population basis.

By Mr. Easters:

H. 478. To amend the title and Section 1 of Act No. 105, H. 233, Regular Session 1969 (Acts 1969, p. 386), which Act provides for the appointment and terms of office of the directors of hospital associations in certain counties classified on a population basis.

By Mr. Snell:

H. 763. To amend the title and Section 1 of Act No. 338, H. 705, Regular Session 1969 (Acts 1969, p. 711), which act fixes the per diem pay for members of the board of equalization of certain counties classified on a population basis.

By Mr. Snell:

H. 764. To amend the title and Sections 1, 2 and 3 of Act No. 337, H. 704, Regular Session 1969 (Acts 1969, p. 709), which Act regulates and provides for the compensation of certain officers and provides for the operation of their offices in certain counties on a population basis, amending such Act relative to the population of the counties in which it applies and the amount of the compensation and clerk hire allowances.

By Mr. Snell:

H. 765. To amend the title and Section 1 of Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which Act provides for the incorporation, management, authorization, and operation of an authority to provide installations for the amusement, entertainment, recreation, and cultural development of the citizens of certain counties classified on a population basis.

By Messrs. Cauthen, Slate, Williams, Carter and Cross:

H. 1773. To amend the title and Section 1 of Act No. 807, H. 1290, Regular Session 1961 (Acts 1961, p. 1171) which provides for Airport Authority Boards in certain counties classified on a population basis.

By Messrs. Adams, Brassell, Turnham:

H. 1884. To amend Section 2 of Act No. 52, H. 302, Regular Session 1971, approved June 30, 1971, an act relating to municipalities having a commission form of government and having populations of not less than 20,000 nor more than 32,000, and providing for the election of the commissioners, so as to provide that such commissioners shall qualify and run for specific seats on the commission.

By Messrs. Crawford and Connell:

H. 1854. Relating to counties having populations of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; and providing for an expense allowance for the superintendent of education in such counties.

By Messrs. Crawford and Connell:

H. 1855. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; regulating the insuring of the public hospital and health center buildings and the contents thereof in such counties.

By Messrs. Crawford and Connell (with notice and proof):

H. 1856. To provide for the appointment of Deputy District Attorneys for Henry County, Alabama, to re-designate the office of County or Deputy Solicitor as the office of Deputy District Attorney; and to provide for the appointment, duties and compensation of such officers.

By Messrs. Crawford and Connell:

H. 1857. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 13,200 nor more than 13,400.

By Messrs. Crawford and Connell:

H. 1858. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

By Messrs. Chesnut and Baker:

H. 2031. Relating to counties having populations of not less than 15,400 nor more than 15,625, according to the most recent federal decennial census; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

By Messrs. Chesnut and Baker:

H. 2032. Relating to counties having populations of not less than 15,400 nor more than 15,625; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

By Mr. Branyon:

S. 1102. To amend the title and Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), as last amended, which provides expense allowances for the chairman or presiding judge and members of the governing body in certain counties classified on a population basis.

By Mr. Clark (with notice and proof):

S. 1125. Relating to Barbour County; providing for payment of salaries and expenses of sheriff's office relating to maintaining traffic control and law and order in County from Highway and Traffic Fund of Barbour County.

By Mr. Clark (with notice and proof):

S. 1126. To amend Act No. 1174, H. 1047, Regular Session, 1969, so as to provide further for the appointment and compensation of deputies, jailors, and assistants of the sheriff of Barbour County and repeal conflicting laws.

By Mr. Clark (with notice and proof):

S. 1127. To provide for all monies in the public highway and traffic fund of Barbour County to be transferred to the general fund of the county; authorizing the transfer of certain monies hereafter accruing in said public highway and traffic fund to the general fund of said county, at the discretion of the county governing body and providing for the use of such monies so transferred.

By Mr. Clark (with notice and proof):

S. 1128. To authorize the governing body of Barbour County to appropriate funds out of the county highway and traffic fund for expenses necessary for the construction and maintenance of roads.

By Mr. Hammond (with notice and proof):

S. 1146. To fix the salary for the County Solicitor (Deputy District Attorney) of DeKalb County.

By Mr. Hammond (with notice and proof):

S. 1147. To alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

By Mr. Hammond (with notice and proof):

S. 1148. Relating to DeKalb County; to provide for juries composed of six members for trial of certain cases in the DeKalb County Court.

By Mr. Hammond (with notice and proof):

S. 1149. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

By Mr. McLain:

S. 1150. To repeal Act No. 410, H. 138, 1969 Regular Session, pertaining to off street parking facilities in cities of not less than 100,000 nor more than 150,000.

By Mr. McLain:

S. 1151. To repeal Act No. 231, 1969 Regular Session, pertaining to compensation of recorders court judges in cities of not less than 100,000 nor more than 200,000.



By Mr. McLain:

S. 1152. To repeal Act No. 417, 1957 Regular Session, pertaining to salaries of commission or council members in cities of not less than 125,000 nor more than 250,000.

By Mr. McLain:

S. 1153. To repeal Act No. 480, H. 871, 1961 Regular Session, approved August 8, 1961, pertaining to planning and zoning in incorporated cities having a population of not less than 100,000 nor more than 200,000.

By Mr. McLain:

S. 1154. To repeal Act No. 484, H. 932, 1961 Regular Session, pertaining to employees of waterworks or other boards in all cities of 100,000 nor more than 200,000.

By Mr. McLain:

S. 1155. To repeal Act No. 486, H. 939, 1961 Regular Session, pertaining to retirement systems in cities exceeding 100,000 and not exceeding 200,000.

By Mr. McLain:

S. 1156. To repeal Act No. 463, H. 869, 1961 Regular Session, requiring cities of not less than 100,000 nor more than 200,000 to become organized under the commission form of government.

By Mr. McLain:

S. 1157. To repeal Act No. 407, 1961 Regular Session, pertaining to counties having populations of 150,000 and less than 300,000 in which there is an incorporated city having a population of 100,000 and less than 200,000, and having to do with appointment of a humane officer.

By Mr. Hammond:

S. 1158. To repeal Act No. 65, S. 290, approved July 12, 1971, Regular Session 1971, entitled, "An Act To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act."

By Mr. Hammond:

S. 1159. To repeal Act No. 111, S. 49, approved May 11, 1971, Special Session 1971, entitled, "An Act To prohibit commercial fishing in counties having populations of not less than 15,400 nor more than 15,625, except by residents and/or voters of such counties."

By Mr. Branyon:

S. 1161. To amend the title and Section 1 of Act No. 947, H. 1370, Regular Session 1969 (Acts 1969, p. 1681), which Act provides further to all counties having populations of less than 10,660, according to the most recent federal decennial census; to authorize and direct the county governing body of any such counties to allow and pay to the sheriff of said county an amount not in excess of four hundred dollars (\$400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business of the county.

By Mr. Branyon:

S. 1162. To amend the title and Section 1 of Act No. 946, H. 1369, Regular Session 1969 (Acts 1969, p. 1680), which Act provides further for the annual salary of the chief deputy sheriff in all counties having populations of less than 10,660, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

By Mr. Branyon:

S. 1163. To amend the title and Section 1 of Act No. 779, H. 847, Regular Session 1969 (Acts 1969, p. 1394), which Act provides further for reimbursing the members of the county governing bodies of all counties having populations of less than 10,660, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

By Mr. Branyon:

S. 1164. To amend the title and Section 1 of Act No. 945, H. 1368, Regular Session, 1969 (Acts 1969, p. 1680), which Act provides further for all counties having populations of less than 10,660, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

By Mr. Branyon:

S. 1165. To amend the title and Section 1 of Act No. 267, H. 63, Special Session 1961 (Acts 1961, p. 2283), which Act provides further for use of certain earmarked or dedicated school revenues for general educational purposes, including payment of teachers' salaries, in counties having populations of less than 10,660; repealing conflicting laws.

By Mr. Branyon:

S. 1166. To amend the title and Section 1 of Act No. 949, H. 1372, Regular Session 1969 (Acts 1969, p. 1682), which Act provides further to fix the compensation of the deputy solicitors of all counties having populations of less than 10,660, according to the most recent federal decennial census.

By Mr. Branyon:

S. 1167. To amend the title and Section 1 of Act No. 948, H. 1371, Regular Session 1969 (Acts 1969, p. 1681), which Act provides further for clerical assistants to the judge of probate in all counties having populations of less than 10,660, according to the most recent federal decennial census; and to provide that their compensation shall be payable out of the county treasury.

By Mr. Shelby:

S. 1168. Applicable to counties having a population of not less than 115,000 and not more than 150,000 inhabitants according to the last or any succeeding Federal census; to authorize the incorporation in each such county of one or more public corporations for public hospital purposes; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors and its officers and providing for their terms of office; to specify the qualifications of such members, the powers and procedure of such board of directors, and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its

properties, revenues and receipts as security therefor; to provide for the priority of such pledges; to provide that such securities shall be solely an obligation of such corporation; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, all instruments executed as security therefor, all conveyances to such corporation, and the income and properties of such corporation; to authorize the investment of fiduciary funds in securities of such corporation; to provide for the dissolution of such corporation; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation, without consideration or election therefor, hospitals, other public health facilities, and funds raised or allocated for hospital purposes and to provide that this act shall be independent and cumulative.

By Mr. McLain:

S. 1171. To repeal Act No. 428, 1961 Regular Session; pertaining to each county in the state which has a population of not less than 150,000 and not more than 300,000, creating and establishing a personnel department.

By Mr. Dozier:

S. 1174. To repeal Act No. 125, H. 319, approved July 1, 1969, Regular Session 1969 (Acts 1969, p. 401), entitled, "An Act To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws."

By Mr. Dozier:

S. 1175. To amend the title and Section 1 of Act No. 703, H. 966, Regular Session 1965 (Acts 1965, p. 1305) which provides further for the selection of textbooks and instructional materials for use in the public schools in certain counties classified on a population basis.

By Mr. Wilson:

S. 1176. To establish the salary of the solicitor of the Intermediate Court in counties having a population of not less than 55,500 nor more than 56,500, according to the most recent Federal decennial census.

By Mr. McLain (with notice and proof):

S. 1178. To provide for the manner and procedure for the election of members of the Madison County Commission or like governing body that may be created for Madison County, Alabama.

By Mr. McLain:

S. 1180. To amend all general laws heretofore passed by the Legislature of Alabama, which according to their terms apply only to counties having a population of not less than 110,000 nor more than 165,000 according to the last or most recent federal census, and not heretofore amended so as to change the population classification to which said Acts apply, and not heretofore repealed, with the exception of Act No. 22, H. 108, approved August 19, 1964, as amended, which is expressly excepted from the operation thereof, so as to change the classification thereof to apply only to counties having a population of not less than 170,000 nor more than 300,000, according to the most recent federal decennial census.

By Mr. Wilson:

S. 1183. To amend the title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. 1, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

By Mr. Harris (with notice and proof):

S. 1186. Further regulating the meetings of the county board of registrars in Morgan County.

By Mr. McLain:

S. 1187. To repeal Act No. 979, S. 396, 1961 Regular Session, pertaining to proportion of contribution between counties and municipalities to budget of county health department.

By Mr. McLain:

S. 1188. To repeal Act No. 1216, H. 1478, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, providing that such municipalities may authorize municipal electric utility boards to make certain expenditures without prior consent and approval of the governing body.

By Mr. Hammond (with notice and proof):

S. 1189. To provide that any bank having an office or authorized place of business in DeKalb County, Alabama may, with the approval of the Superintendent of Banks of the State of Alabama, establish, maintain and operate one or more branch banks, offices or places of business in said county for the transaction of the business of banking.

By Messrs. Noonan, Pelham and Edington:

S. 1190. To amend Act No. 1191, Regular Session 1969, an act applying only in counties having populations not less than 300,000 nor more than 500,000 and providing for the establishment of the Juvenile Division of the Circuit Court of the circuit composed of the county in which such Juvenile Court exists.

By Mr. Carr:

S. 1192. To amend the title and Section 1 of Act No. 37, S. 69, Special Session 1964 (Acts 1964, p. 58) which regulates the compensation of jurors in certain counties classified on a population basis.

By Mr. Carr:

S. 1193. To amend the title and Sections 1 and 2 of Act No. 932, H. 1346, Regular Session 1969 (Acts 1969, p. 1670) which establishes the procedure for the selection of a depository of the funds of the Board of Education and fixes the compensation for the members of the County Board of Education in certain counties classified on a population basis.

By Mr. Carr:

S. 1194. To amend the title and Section 1 of Act No. 213, H. 431, Regular Session 1969 (Acts 1969, p. 533) which provides for payment of in-county travel expenses for county commissioners, payable from the county treasury in certain counties classified on a population basis.

By Mr. Carr:

S. 1195. To amend the title and Section 1 of Act No. 62, H. 610, Regular Session 1969 (Acts 1969, p. 354) which provides for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education in certain counties classified on a population basis.

By Mr. Carr:

S. 1196. To repeal Act No. 641, S. 543, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1161), entitled, "An Act To apply in counties having populations of not less than 25,400 nor more than 25,675, fixing the compensation of the clerk of the register and providing for payment thereof."

By Mr. Carr:

S. 1197. To amend the title and Section 1 of Act No. 614, H. 1158, Regular Session 1965 (Acts 1965, p. 1128) which fixes the compensation of the clerk of the register and provide for payment thereof in certain counties classified on a population basis.

By Mr. Carr:

S. 1198. To amend the title and Section 1 of Act No. 38, S. 70, Special Session 1964, (Acts 1964, p. 58) which regulates the pay of election officers in certain counties classified on a population basis.

By Mr. Dozier:

S. 1199. To repeal Act No. 38, H. 63, approved March 16, 1965, Special Session 1965 (Acts 1965, p. 58) as amended entitled, "An Act To provide for the payment of an expense allowance to members, including the Chairman or Ex-Officio Chairman, of the Board of Revenue, Court of County Commissioners or other like governing body of all counties having a population of not less than 25,800 nor more than 26,700, according to the last or any subsequent federal decennial census."

By Mr. Dozier:

S. 1200. To amend the title and Section 1 of Act No. 602, H. 1162, Regular Session 1961 (Acts 1961, p. 713) which fixes the compensation of the coroner in certain counties classified on a population basis.

By Mr. Dozier:

S. 1201. To amend the title and Section 1 of Act No. 146, H. 446, Regular Session 1961 (Acts 1961, p. 189) which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

By Mr. Dozier:

S. 1202. To amend the title and Section 1 of Act No. 858, H. 1180, Regular Session 1969 (Acts 1969, p. 1564) which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

By Mr. Dozier:

S. 1203. To amend the title and Section 1 of Act No. 720, H. 1235, Regular Session 1965 (Acts 1965, p. 1325) which provides an expense allowance for the superintendent of education in certain counties classified on a population basis.

By Mr. Dozier:

S. 1204. To amend the title and Section 1 of Act No. 568, H. 904, Regular Session 1967 (Acts 1967, p. 1322) which authorizes the boards of education to purchase sites for, construction, erect and equip and operate technical and special schools within city school systems in certain counties classified on a population basis.

By Mr. Dozier:

S. 1205. To amend the title and Section 1 of Act No. 556, H. 540, Regular Session 1967 (Acts 1967, p. 1312) which provides that the Board of Education is authorized to expend public school funds for the purpose of purchasing a site and providing suitable and adequate office facilities for the county superintendent of education and the central office staff in certain counties classified on a population basis.

By Mr. Dozier:

S. 1206. To repeal Act No. 110, H. 426, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 490), entitled, "An Act To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census."

By Mr. Hammond:

S. 1207. Relating to counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said counties.

By Mr. Shelby:

S. 1208. Relating to all counties having a population of not less than 110,000 nor more than 160,000 according to the most recent or any subsequent decennial census: To regulate further the employment of a clerk for the jury commission; to provide for and regulate the employment, discharge, compensation and duties of such clerk; to provide that such clerk shall be employed by the judges of the circuit court of said respective county and he shall be paid out of the county treasury and furnished office space, equipment and supplies by the county governing body.

By Mr. Register (with notice and proof):

S. 1209. Relating to Dale County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws, subject to the ratification of a constitutional amendment.

#### BILLS ON THIRD READING RESUMED

The Bill:

S. 917. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the last or any subsequent federal decennial census; to authorize the court of county commissioners, board of revenue or other like governing body to designate deputy sheriffs as county traffic control officers and to provide for the payment of their compensation out of funds accruing from the motor vehicle and trailer license taxes; and directing the probate judge to withhold each year \$15,000 from the first moneys collected from the motor vehicle and trailer license taxes to be used for this purpose.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Hammond	McLain	Vacca	
Cook	Harris	O'Bannon	Weaver	
Cooper	Hawkins	Pelham	Wilder	
Dominick	Jones	Pierce	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 926. Relating to counties having populations of not less than 23,900 nor more than 24,450 according to the most recent federal decennial census, whose roads and bridges are constructed, maintained and repaired by the state highway department; authorizing and providing for the deduction and withholding by the judge of probate of any such county of a prescribed amount of the first moneys accruing from that part of the motor vehicle and trailer license taxes allocated to the county when such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Littleton	Register	
Branyon	Hammond	Lybrand	Shelby	
Cooper	Harris	O'Bannon	Vacca	
Dominick	Hawkins	Owen	Weaver	
Dozier	Horne	Pelham	Wilder	
Fine	Jones	Pierce	Wilson	
Gilmore	King			—25

Nays: —0

#### OPINION RENDERED

The following advisory opinion from the Supreme Court, requested in S. R. 69, adopted by the Senate on the Twenty-fifth Legislative Day, was read and ordered spread upon the Journal.

#### THE STATE OF ALABAMA - - - - - JUDICIAL DEPARTMENT THE SUPREME COURT OF ALABAMA SPECIAL TERM, 1971

The Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

This acknowledges your request of August 10, 1971, for an advisory opinion as to the constitutionality of House Bill 1895, which is a local bill.

The policy of this Court that it would not answer advisory opinions requested under the provisions of Section 34, Title 13, Code of Alabama 1940, where the bill involves purely local matters, was first established on April 30, 1959, in Opinion of the Justices, 269 Ala. 127, 111 So. 2d 605, and followed in Opinion of the Justices, 281 Ala. 187, 200 So. 2d 486; Opinion of the Justices, 281 Ala. 231, 201 So. 2d 103; and Opinion of the Justices, 284 Ala. 484, 226 So. 2d 87 (August 4, 1969). In the Opinion of the Justices, 281 Ala. 231, 201 So. 2d 103, this Court stated as follows:

"We hope that the distinguished members of the Senate understand that this policy was adopted and has been followed in order that the members of this Court can devote themselves to the preparation of opinions in the large number of cases which come here by appeal and to answering requests for advisory opinions concerning proposed legislation of statewide application."

This Court has followed this policy except on occasions where there were distinguishing circumstances such as in Opinion of the Justices, \_\_\_\_\_ Ala. \_\_\_\_\_, \_\_\_\_\_ So. 2d \_\_\_\_\_, (issued on August 17, 1971), where the request for an advisory opinion involved a proposed general bill and a proposed local bill. Since the opinion expressed by a majority of the Justices pertaining to the proposed general bill was also applicable to the proposed local bill the policy of refraining from answering local bill advisory opinion requests was not followed.

In Opinion of the Justices, \_\_\_\_\_ Ala. \_\_\_\_\_, \_\_\_\_\_ So. 2d \_\_\_\_\_, (issued on August 17, 1971), an opinion on a proposed local act was expressed because the applicable constitutional amendment applied only to the one county involved.

In connection with matters involved in this request for an advisory opinion we find no such distinguishing factors; therefore, with due respect we must decline to answer your inquiry.

Respectfully submitted,

HOWELL T. HEFLIN,

Chief Justice

THOMAS S. LAWSON

ROBERT T. SIMPSON

PELHAM J. MERRILL

JAMES S. COLEMAN, JR.

JAMES N. BLOODWORTH

HUGH MADDOX

DANIEL T. McCALL, JR.

Justices

#### RECESS

At 10:45 A. M., on motion of Mr. Bales, the Senate took a recess until 12 o'clock Noon.



## AFTERNOON SESSION

## THIRTIETH LEGISLATIVE DAY

TUESDAY, AUGUST 24, 1971

The Senate reassembled at 12 o'clock Noon, Lieutenant Governor Beasley presiding.

## ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested:

H. 1475. Relating to counties having populations of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court of such counties; to repeal conflicting laws.

JOHN W. PEMBERTON,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

## RESOLUTIONS

Messrs. Hawkins, Gilmore, Bailes, King, Cook and Vacca offered the following Senate Joint Resolution, to-wit:

S. J. R. 83. CREATING A JOINT INTERIM COMMITTEE OF THE JEFFERSON COUNTY DELEGATIONS TO STUDY THE PERSONNEL SYSTEM FOR CITY AND COUNTY EMPLOYEES IN JEFFERSON COUNTY.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that a joint interim committee be created from the Jefferson County Delegations to both houses, to consist of three members of the House, and two members of the Senate, to be appointed by the chairmen of the respective delegations.

BE IT FURTHER RESOLVED, that such committee shall be known as the Jefferson County Personnel Study Committee, and shall work in conjunction with the Jefferson County Personnel Board and representatives or employees under the supervision of said board to discuss and study all laws, ordinances, rules and regulations affecting such employees.

BE IT FURTHER RESOLVED, that the committee shall meet within a reasonable time after passage of this resolution and shall select a chairman from its number. Subsequent meetings shall be upon call of the chairman, and the committee may report to any subsequent Legislature, subject to the approval of the chairman of the Rules Committee of each House. The members shall receive no compensation for their duties.

BE IT FURTHER RESOLVED, that the purpose and aim of this committee is to upgrade and update the civil service and personnel system in Jefferson County and improve employee conditions without affecting adversely the soundness and security of such system.

On motion of Mr. Hawkins, the Rules were suspended and the Resolution was adopted by the Senate

Mr. Wilder offered the following Senate Joint Resolution, to-wit:

**S. J. R. 84. COMMENDING THE ALABAMA CHARIOTEERS, A DRUM AND BUGLE CORPS OF PIKE COUNTY**

WHEREAS, for many years musical organizations composed of Alabama youth, have reflected great credit upon themselves, their families, and our State at large through their performances at National Conventions and in National and Regional competition; and

WHEREAS, there has been established for the first time in Alabama a Junior Drum and Bugle Corps known as the Alabama Charioteers, and

WHEREAS, this organization of 60 of our finest young people, based in Pike County, but composed of members from several other Alabama Counties, has been invited to compete in the finals of the National Drum and Bugle Corps competition at the American Legion Convention in Houston, Texas, on Sunday, August 29, 1971.

NOW THEREFORE, BE IT RESOLVED, that the Legislature of Alabama, both houses concurring, commends the Alabama Charioteers, Director Richard Beasley, the Board of Trustees, Pike County Post 70, and the Alabama Department of the American Legion, and all members, instructors and supporters of the Alabama Charioteers be commended on this outstanding accomplishment, and that they be wished Godspeed and Good Luck as they represent their home state in this important competition;

BE IT FURTHER RESOLVED, that a copy of this Resolution be submitted to the Director and the Board of Trustees of the Alabama Charioteers, and to the Commander of Pike County Post 70 and the Commander of the Department of Alabama, American Legion.

Which was read and ordered to lay over on the Secretary's desk.

**MOTION IN WRITING**

Mr. Harris offered the following Motion in Writing to-wit:

## MOTION IN WRITING

Having voted with the prevailing side, I now move to reconsider the vote by which S. B. 926 passed.

On motion of Mr. Harris, further consideration of the foregoing Motion in Writing was postponed temporarily.

## MOTION IN WRITING

Mr. Harris offered the following Motion in Writing to-wit:

## MOTION IN WRITING

Having voted with the prevailing side, I now move to reconsider the vote by which S. B. 917 passed.

On motion of Mr. Harris, further consideration of the foregoing Motion in Writing was postponed temporarily.

## MOTION IN WRITING

Mr. Harris offered the following Motion in Writing to-wit:

## MOTION IN WRITING

Having voted with the prevailing side, I now move to reconsider the vote by which S. B. 1066 passed.

On motion of Mr. Harris, further consideration of the foregoing Motion in Writing was postponed temporarily.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 630. To name and designate the Alabama River bridge on Interstate Highway 65 at Montgomery the "American Legion Memorial Bridge."

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Balles	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Vacca
Cook	Givhan	McLain	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dozier			

—24

Nays:

—0

The Bill:

H. 766. Further amending Code of Alabama 1940, Title 22, Sections 24, 25, 26 and 27; relating to Vital Statistics; providing for registration of the fact of death by the funeral director and for making and filing of a certificate of cause of death by the attending physician, or coroner in certain cases.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Gilmore	McLain	Vacca	
Cook	Hawkins	Malone	Weaver	
Cooper	Jones	O'Bannon	Wilder	
Dozier	King	Owen		—26

Nays:

—0

The Bill:

S. 846. To amend the Title and Section 1 of Act No. 193, H. 444, Regular Session 1943 (Acts 1943, p. 183), which relates to Judicial Notice of Ordinance of Cities which may now or hereafter have a population of One Hundred Seventy Five thousand or more people according to the last or any succeeding federal census

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Vacca	
Cook	Givhan	Malone	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1028. To validate in certain cases elections heretofore held in any school district or in any county at large for the purpose of authorizing a special tax for any school or educational purpose, or for school or educational purposes generally, under the constitution or any amendment thereto, or for the purpose of authorizing the consolidation of school districts and the levy of any such tax in the consolidated district resulting from such consolidation.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Carr	Gilmore	Littleton	Register	
Clark	Hammond	Lybrand	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Malone	Wilder	
Dozier	Horne			—29

Nays:

—0

## The Bill:

H. 856. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans preference therein provided to persons who have ever served honorably in the armed forces of the United States at any time, and under certain conditions to the wives and widows of persons who served honorably during this period.

Was read a third time at length and passed.

Yeas 29; Nays 0.

## Yeas:

Messrs.:	Dozier	Jones	O'Bannon
Bailes	Edington	King	Owen
Branyon	Fine	Lindsey	Pelham
Carr	Foshee	Littleton	Pierce
Clark	Gilmore	Lybrand	Register
Cook	Hammond	McLain	Vacca
Cooper	Hawkins	Malone	Wilder
Dominick	Horne		

—29

## Nays:

—0

## The Bill:

S. 947. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations by extending such exemptions to the Elks Memorial Center For The Handicapped, The Alabama Sheriffs' Boys Ranch, The North Alabama T. B. Association, The Eufaula Heritage Association, and to the University of Alabama Huntsville Foundation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 32; Nays 0.

## Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Pierce
Clark	Givhan	Lybrand	Register
Cook	Hammond	McLain	Shelby
Cooper	Harris	Malone	Vacca
Dominick	Hawkins	Noonan	Wilder
Dozier			

—32

## Nays:

—0

## The Bill:

S. 956. To authorize each county in this state to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing solid wastes collection and disposal facilities; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may,

at the discretion of the governing body of the county, be additionally secured by a pledge or pledges of the revenues from the said facilities, or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such securities shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Hammond	Lybrand	Register	
Cook	Hawkins	Malone	Vacca	
Cooper	Horne	Noonan	Wilder	
Dozier	Jones	O'Bannon		—26

Nays: —0

The Bill:

S. 940. To repeal Title 29, Section 102, Code of Alabama 1940, which Section allows sheriffs or other officers a FIFTY DOLLAR (\$50.00) fee for furnishing evidence to support a conviction in distilling cases.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	O'Bannon	
Bailes	Edington	King	Owen	
Branyon	Fine	Lindsey	Pelham	
Carr	Foshee	Littleton	Pierce	
Clark	Gilmore	Lybrand	Register	
Cook	Givhan	McLain	Vacca	
Cooper	Hammond	Malone	Wilder	
Dominick	Hawkins	Noonan	Wilson	—31

Nays: —0

The Bill:

H. 793. To validate, in certain cases, the incorporation of public corporations attempted to be organized under the provisions of Act No. 107 adopted at the 1965 First Special Session of the Legislature of Alabama, as amended, and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Carr	Gilmore	Littleton	Pierce	
Cook	Givhan	Lybrand	Vacca	
Cooper	Hammond	McLain	Wilder	
Dominick	Harris	Malone	Wilson	
Dozier	Hawkins	Noonan		—30

Nays: —0

The Bill:

S. 41. To provide that every person who participates in any endless chain shall be guilty of a misdemeanor; to provide for the punishment and fine for such misdemeanor; to define endless chain and participate as used in this Act; to limit the definition of compensation as used in this Act; to repeal all laws in conflict.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Noonan	
Bailes	Edington	King	O'Bannon	
Branyon	Fine	Lindsey	Owen	
Carr	Foshee	Littleton	Pelham	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Vacca	
Cooper	Hawkins	Malone	Wilder	
Dominick				—28

Nays: —0

The Bill:

H. 1049. To rename the Department of Conservation; to rename the Division of Seafoods of the Department of Conservation; to designate and provide for the official titles or classifications of the head and assistant head of the Department and the division heads and certain administrative personnel in the Department.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Cooper	Jones	Owen	
Bailes	Dominick	King	Pelham	
Branyon	Dozier	Lindsey	Pierce	
Carr	Fine	McLain	Register	
Clark	Hammond	Noonan	Vacca	
Cook	Harris	O'Bannon	Wilder	
				—23

Nays: —0

## The Bill:

S. 481. Further amending Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, as Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 0.

## Yeas:

Messrs.:	Dominick	Harris	Pelham
Bailes	Dozier	Jones	Pierce
Branyon	Edington	King	Register
Carr	Fine	Lindsey	Shelby
Clark	Foshee	Noonan	Vacca
Cook	Givhan	O'Bannon	Wilder
Cooper	Hammond	Owen	Wilson

—27

## Nays:

—0

## The Bill:

H. 863. Relating to irrigation and water conservation; authorizing the state to provide financial assistance, to underwrite and to guarantee costs of a pilot irrigation and water conservation project and facilities related thereto; creating a state irrigation development trust fund; and providing for the use of such fund; prescribing the manner of repayment of any loans by the state made for the use of such project; and providing that any such project shall remain under the supervision and control of the state until all monies owed are repaid.

Was read a third time at length and passed.

Yeas 26; Nays 0.

## Yeas:

Messrs.:	Dozier	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Foshee	McLain	Register
Carr	Hammond	Malone	Shelby
Clark	Hawkins	Noonan	Vacca
Cook	Jones	O'Bannon	Wilder
Cooper	King	Owen	

—26

## Nays:

—0

## The Bill:

H. 864. Proposing an amendment to Article IV, Section 93, as amended, of the Constitution of Alabama relative to providing irrigation and water conservation in the state.

Was read a third time at length as required by the Constitution and passed.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Bailes	Foshee	Lybrand	Pelham	
Branyon	Hammond	McLain	Pierce	
Carr	Hawkins	Malone	Register	
Clark	Jones	Noonan	Wilder	
Cook	King	O'Bannon	Wilson	
Cooper	Lindsey			—25

Nays: —0

The Bill:

S. 965. Relating to domestic stock insurance companies and to give the right to domestic stock insurance companies to merge, consolidate with domestic or foreign stock insurance companies or exchange stock with domestic or foreign corporations; to provide a procedure for such merger, consolidation or exchange of stock; to require approval of the board of directors and to require approval of the superintendent of insurance and approval of stockholders; to provide rights for dissenting stockholders; to provide for public hearings by the superintendent of insurance, and to set forth the effect of such merger, consolidation or exchange of stock.

was taken up.

Mr. Fine offered the following substitute for the Bill, S. B. 965, to-wit:

#### SUBSTITUTE FOR S. 965

#### A BILL TO BE ENTITLED AN ACT

Relating to domestic stock insurance companies and to provide procedures for adoption and effectuation of plans of exchange of securities between domestic stock insurance companies and holding companies and between domestic stock insurance companies, holding companies and subsidiaries of holding companies; to provide for approval of such plans of exchange of securities by boards of directors and stockholders, and to require approval by the Superintendent of Insurance upon a public hearing after notice to stockholders and policyholders and to provide a procedure therefor; to provide rights and procedures for dissenting stockholders; and to set forth the effect of such plans for exchange.

Be It Enacted by the Legislature of Alabama:

1. Plan of Exchange of Securities.—A domestic stock insurance company (hereinafter referred to in this Act as "domestic company") may cause a corporation to be organized under the laws of this state or any other state of the United States of America to act as a holding company (hereinafter referred to in this Act as "holding company") which may or may not be an insurance corporation and the domestic company and holding company may adopt a plan for an exchange of stock or other securities in which stockholders of the domestic company exchange their stock for shares of stock or other securities issued by the holding company pursuant to the provisions of section 2 of this Act. Such plan of exchange may provide for a direct exchange of stock or other securities between the stockholders of the domestic com-

pany and the holding company or may include provision for the merger of a wholly-owned subsidiary of the holding company into the domestic company, in which stockholders of the domestic company receive shares of voting stock of the holding company in exchange for shares of stock of the domestic company and the holding company owns thereafter all of the outstanding stock of the domestic company.

2. Procedure for exchange.—A plan of exchange shall be adopted and become effective in the following manner:

(a) Approval of the Boards of Directors.—The boards of directors of each corporate party to the plan of exchange by resolution shall adopt the plan of exchange which shall set forth the terms and conditions of the exchange and the mode of carrying the same into effect and such other provisions with respect to the exchange as may be deemed necessary or desirable.

(b) Approval of Superintendent of Insurance.—Every plan of exchange, before being submitted to vote of the stockholders pursuant to section 2(c) hereof, shall be submitted for approval to the Superintendent of Insurance in accordance with the following procedure:

(i) After the approval required by section 2(a) is obtained, the domestic company shall submit to the Superintendent three copies of the plan of exchange and any other information which the Superintendent may require with respect to such plan.

(ii) Upon the submission of the plan, the Superintendent shall schedule a public hearing to determine if the terms and conditions of the plan of exchange are fair, to be held within thirty days after such submission. Each corporation which is a party to the plan shall give notice of the time and place of such hearing to each stockholder of record of the corporation as of a date fifteen days prior to the date of the hearing, by letter mailed not later than ten days prior to the hearing. Each corporation which is a party to the plan shall further cause notice of the hearing to be published in a newspaper of general circulation in the city wherein is located the principal place of business of the corporation, once a week for two consecutive weeks, the last publication of such notice to be not more than two weeks prior to the hearing date. Each stockholder of any corporation which is a party to the plan and each policyholder of the domestic company or any other domestic insurance company which is a party to the plan shall be entitled to appear and be heard in said hearing and said notices shall so state.

(iii) After conclusion of the hearing and not later than sixty days after submission of the plan, the Superintendent shall issue a written order approving the terms and conditions of the plan of exchange as delivered to him and such modifications therein as the board of directors of each corporation which is a party to the plan shall approve, only if he finds (i) that the terms and conditions of the plan, including modifications, if any, if effected, will not tend adversely to affect the financial stability or management of the domestic company or any other domestic insurance company which is a party to the plan; (ii) that the interests of the policyholders of the domestic company and any other domestic insurance company which is a party to the plan are protected; and (iii) that the terms and conditions of the plan and the proposed issuance and exchange are fair to all stockholders to whom it is proposed to issue stock or other securities of the holding company by the terms of the plan. If the Superintendent fails to approve the plan, he shall state his reasons therefor in writing. All expenses of the Superintendent relating to the hearing shall be paid by the domestic company.

(c) Approval of stockholders.—The plan of exchange as approved by the Superintendent of Insurance pursuant to the provisions of section 2(b) hereof shall then be submitted to a vote of the stockholders of the domestic company at an annual or special meeting of the stockholders. Written or printed notice shall be given to each stockholder of record entitled to vote at such meeting, not less than twenty days before such meeting, in the manner provided in the Alabama Business Corporation Act for the giving of notice of meetings of stockholders, and shall state the purpose of the meeting, whether the meeting be an annual or a special meeting. A copy or a summary of the plan of exchange shall be included in or enclosed with such notice. At such meeting, a vote of the stockholders shall be taken on the proposed plan of exchange. Each outstanding share of the domestic company shall be entitled to vote on the proposed plan of exchange, whether or not such share has voting rights under the provisions of the certificate of incorporation of the domestic company. The plan shall be approved upon receiving the affirmative vote of the holders of at least two-thirds of the outstanding shares of the domestic company, unless any class of shares of the domestic company is entitled to vote as a class therein, in which event, the plan of exchange shall be approved upon receiving the affirmative vote of the holders of at least two-thirds of the outstanding shares for each class of shares entitled to vote as a class thereon and of the total outstanding shares. Any class of shares of the domestic company shall be entitled to vote as a class if the plan of exchange contains any provision which, if contained in a proposed amendment to the certificate of incorporation, would entitle such class of shares to vote as a class. After such approval of the plan of exchange, and at any time prior to the filing of the certificate setting forth the plan of exchange pursuant to section 2(e) of this Act, the plan of exchange may be abandoned pursuant to a provision for such abandonment, if any, contained in the plan of exchange. Stockholder approval by the stockholders of any other corporate party to the plan of exchange shall be governed by the laws otherwise applicable to the transactions involved in the plan.

(d) Rights of Dissenting Stockholders.—If any stockholder of the domestic company shall file with such corporation prior to or at the meeting of stockholders at which the plan of exchange is submitted to a vote, a written objection to such plan, and shall not vote in favor thereof, and such stockholder, within ten days after the date on which the vote was taken, shall make written demand on the domestic company, for payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the plan, then, if the plan is effected, the domestic company or surviving corporation if a merger is included in the plan shall pay to such stockholder, upon surrender of his certificate or certificates representing such shares, the fair value thereof. Such demand shall state the number and class of the shares owned by such dissenting stockholder. Any stockholder failing to make demand within the ten-day period shall be bound by the terms of the plan of exchange.

Within ten days after the plan is effected, the domestic company or surviving corporation, as the case may be, shall give notice thereof to each dissenting stockholder who has made demand as herein provided for the payment of the fair value of his shares.

If within thirty days after the date on which such plan was effected the value of such shares is agreed upon between the dissenting stockholder and the domestic company or surviving corporation, payment therefor shall be made within ninety days after the date on which such plan was effected from the fund established pursuant to the provisions of section 2(e), or if the fund is not sufficient for such payment,

from other cash assets, upon the surrender of the dissenting stockholder's certificate or certificates representing such shares. Upon payment of the agreed value the dissenting stockholder shall cease to have any interest in such shares or in the corporation.

If within such period of thirty days the stockholder and the domestic company or the surviving corporation do not so agree, then the dissenting stockholder may, within sixty days after the expiration of the thirty-day period, file a petition in any circuit court or court exercising like jurisdiction asking for a finding and determination of the fair value of such shares, and shall be entitled to judgment against the domestic company or surviving corporation for the amount of such fair value as of the day prior to the date on which such vote was taken approving such plan, together with interest thereon to the date of such judgment. The judgment shall be payable only upon and simultaneously with the surrender to the domestic company or surviving corporation of the certificate or certificates representing such shares and shall be payable from the fund established pursuant to the provisions of section 2(e), or, if the fund is not sufficient for such payment, from other cash assets. Upon payment of the judgment, the dissenting stockholder shall cease to have any interest in such shares, or in the domestic company or surviving corporation. Unless the dissenting stockholder shall file such petition within the time herein limited, such stockholder and all persons claiming under him shall be bound by the terms of the plan of exchange.

Shares acquired by the domestic company or the surviving corporation pursuant to the payment of the agreed value thereof or of the judgment entered therefore, as in this section provided, shall be treasury shares and may be held and disposed of by such corporation as in the case of other treasury shares.

A nominee of a corporate fiduciary holding shares of stock for more than one fiduciary account may dissent as to less than all of the shares registered in his name. In that event, his rights shall be determined as if the shares as to which he has dissented and his other shares were registered in the names of different stockholders.

The dissenting rights of stockholders of any other corporate party to the plan of exchange shall be governed by the laws otherwise applicable to the transactions involved in the plan.

(e) Filing plan of exchange.—After the date of the meeting of stockholders of the domestic company at which the plan of exchange was submitted to such stockholders, a certificate setting forth (i) the plan of exchange and (ii) the vote by which such plan was adopted by the stockholders of the domestic company and any other corporate party to the plan whose stockholders approved the plan under the laws otherwise applicable, (iii) the number of shares of the domestic company for which a dissenting right has been preserved and for which no payment has been made pursuant to section 2(d) hereof, or (iv) that the plan of exchange has been abandoned, shall be executed on behalf of the domestic company by its president or a vice-president and attested by its secretary or an assistant secretary under the corporate seal and shall then be presented in triplicate to the Superintendent of Insurance. If the certificate indicates that the plan of exchange has been approved by stockholders as required by section 2(c) hereof and that the facts otherwise conform to the law, he shall require the domestic company, prior to the time the plan becomes effective, to create a fund in cash distinct from its other assets to provide for the payment for all shares with respect to which a dissenting right has been preserved and for which no payment has been made pursuant to

section 2(d) hereof. The amount of said fund shall not limit the amount to be paid to dissenting shareholders under the provisions of section 2(d) nor shall the amount of the fund be used as evidence in any proceeding to establish the fair value of shares for which dissenting rights are asserted. Thereafter, upon the creation of such a fund, the Superintendent shall endorse his approval on the certificate and the same shall then be filed in the office of the secretary of state. Upon such filing of such certificate, the plan of exchange shall become effective, unless a later date and time is specified in the plan of exchange, in which event the plan of exchange and issuance and exchange provided for therein shall become effective upon such later date and time.

(f) Effect of exchange.—Upon the plan of exchange becoming effective, the exchange or exchanges provided for therein shall be deemed to have been consummated, each stockholder of the domestic company shall cease to be a stockholder of such company and the ownership of all shares of the issued and outstanding stock of the domestic company shall vest in the holding company automatically without any physical transfer or deposit of certificates representing such shares.

Certificates representing shares of the domestic company prior to the plan of exchange becoming effective shall after the plan of exchange becomes effective automatically represent shares of the issued and outstanding capital stock or other securities issued by the holding company. Provided, that the plan of exchange (i) shall specify that all certificates representing shares of stock of the domestic company may, after the plan of exchange becomes effective, be exchanged by any stockholder for shares of stock or other securities issued by the holding company, and (ii) may require that all certificates representing shares of stock of the domestic company shall, after the plan of exchange becomes effective, represent only the right to receive shares of stock or other securities issued by the holding company as shall be specified in the plan of exchange.

3. No director, officer, agent or employee of any corporation which is a party to the plan of exchange, except as is expressly provided by the plan filed with the Superintendent of Insurance, shall receive any fee, commission, other compensation or valuable consideration whatever, for in any manner aiding, promoting or assisting in the promotion of the plan of exchange.

4. This Act shall be supplemental to and construed with the provisions of the Alabama Business Corporation Act, Act No. 414, Acts of Alabama, Regular Session, 1959, Volume II, page 1055, as amended, Title 10, Article 6, Code of Alabama, Recompiled 1958, as amended, but in the event there exists any conflict between the provisions of this Act and the provisions of that Act, the provisions of this Act shall control.

5. Nothing contained in this Act shall affect the power of the Superintendent of Insurance to regulate, supervise and control insurance companies pursuant to the laws of the State of Alabama governing such companies, nor shall anything in this Act be construed to authorize any insurance company to engage in any kind or kinds of insurance business not authorized by its charter, or to authorize any holding company which is not an insurance corporation to engage directly in the business of insurance. Subsequent to the effective date of any plan of exchange, the Superintendent of Insurance, having due regard to the findings stated in Section 2(b) of this Act, shall have authority to require that the affairs of the domestic company be conducted in such manner as to assure the continued safe conduct and transaction of the business of insurance of the domestic company.

6. If any provision of this Act or the application thereof under any set of facts or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Fine then offered the following amendment to the substitute for the Bill, S. B. 965, to-wit:

#### AMENDMENT TO THE SUBSTITUTE FOR S. B. 965

In 2 (iii) just before the last sentence thereof insert the following:

Any party in interest may appeal from the ruling of the Superintendent to the circuit court in the circuit where the insurance company maintains its home office, by giving notice of such appeal to the Superintendent within two weeks after such ruling.

Which was adopted.

And said substitute, as thus amended, for the Bill, S. B. 965, was then adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Givhan	Littleton	Register
Carr	Hammond	Lybrand	Vacca
Clark	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Dozier			

—28

Nays:

—0

And said Bill, S. B. 965, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 1.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Vacca
Clark	Hammond	McLain	Weaver
Cook	Hawkins	Noonan	Wilder
Cooper	Jones	Owen	Wilson

—27

Nay: Mr. O'Bannon

—1

The Bill:

H. 61. To prescribe the fee to be allowed the Department of Public Safety for the furnishing of copies of certain records and reports by the Director of Public Safety.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Pelham	
Bailes	Gilmore	Lybrand	Pierce	
Branyon	Givhan	McLain	Register	
Carr	Hammond	Noonan	Weaver	
Clark	Jones	O'Bannon	Wilder	
Cook	King	Owen	Wilson	
Dozier	Lindsey			—25

Nays: —0

The Bill:

H. 446. To amend Act No. 281 adopted at the 1969 Regular Session of the Legislature of Alabama relating to the promotion of safe transportation of pupils to and from schools and in school related activities; to directing the state board of education to prescribe certain rules and regulations designed to promote this purpose; to the provision of school transportation managers or supervisors; to prescribing certain equipment for school buses; to the provision for safety inspection of school buses; to the provision for special training and licensing of school bus drivers; and to the prescribing of penalties.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Givhan	Lybrand	Shelby	
Carr	Hammond	McLain	Weaver	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne	Owen		—26

Nays: —0

The Bill:

H. 349. To authorize and empower the Supreme Court of Alabama to adopt a new system of rules, and to make future changes therein, to govern procedure in appeals to the Supreme Court of Alabama, to the Court of Civil Appeals of Alabama, and to the Court of Criminal Appeals of Alabama for review or enforcement of judgments, orders, and decrees of other courts of the State of Alabama and of orders of administrative agencies, boards, commissions, and officers of the State of Alabama; and in applications for writs or other relief which the Supreme Court or either of said courts of appeals, or a judge of any of said three courts, is authorized to give; to repeal all legislation inconsistent with such rules from and after the effective date of such new system of rules when adopted by the Supreme Court of Alabama as authorized by this Act insofar as such legislation shall be in conflict with such new system of rules.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pelham	
Bailes	Gilmore	Lindsey	Register	
Cook	Givhan	Littleton	Shelby	
Cooper	Harris	Lybrand	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne	O'Bannon	Wilder	
Edington	Jones	Owen	Wilson	
Fine				—28

Nays: —0

The Bill:

H. 181. To amend the title and Section 1 of Act No. 1125, S. 369, Regular Session 1969 (Acts 1969, p. 2084), which act authorizes and provides for appointment of police officers to maintain law and order at state colleges and universities, so as to authorize the employment of such officers at the Alabama Institute for Deaf and Blind.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Hammond	Littleton	Pierce	
Bailes	Harris	Lybrand	Register	
Clark	Hawkins	McLain	Shelby	
Cooper	Horne	Noonan	Vacca	
Dominick	Jones	O'Bannon	Weaver	
Fine	King	Owen	Wilder	
Foshee	Lindsey	Pelham	Wilson	
				—27

Nays: —0

The Bill:

H. 284. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1972 and September 30, 1973, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

was taken up.

Mr. Givhan offered the following amendment to the Bill, H. B. 284, to-wit:

#### AMENDMENT TO H. B. 284

Amend H. B. 284 by striking the period at the end of the title and adding the words “, and African Swine Fever.”

Further amend H. B. 284 by striking the period at the end of the first sentence thereof and adding the words “, and African Swine Fever.”

Which was adopted.



Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Bailes	Foshee	King	Pierce	
Branyon	Gilmore	Lindsey	Register	
Clark	Givhan	Littleton	Vacca	
Cook	Hammond	Lybrand	Weaver	
Cooper	Harris	McLain	Wilder	
Dozier	Hawkins	Noonan	Wilson	
Edington	Horne	O'Bannon		—30

Nays: —0

And said Bill, H. B. 284, as thus amended, was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—29

Nays: —0

The Bill:

S. 38. Relating to taxation; providing sales and use tax exemptions to the Boys Clubs in Alabama which are affiliated with the Boys Clubs of America.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Harris	Lybrand	Pierce	
Bailes	Hawkins	McLain	Register	
Clark	Horne	Malone	Shelby	
Cook	Jones	Noonan	Vacca	
Cooper	King	O'Bannon	Weaver	
Dominick	Lindsey	Owen	Wilder	
Dozier	Littleton	Pelham	Wilson	
Foshee				—28

Nays: —0

The Bill:

H. 6. To authorize the State Safety Coordinating Committee to allocate any of its funds to the Office of Coordinator of Highway and Traffic Safety for expenses concerned with highway and traffic safety programs and participation in benefits available under the National Safety Act of 1966, as amended, and similar federal programs; and to validate prior allocations made for such purposes.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Hammond	Littleton	Pierce
Bailes	Harris	Lybrand	Register
Clark	Hawkins	McLain	Shelby
Cook	Jones	Noonan	Vacca
Cooper	King	O'Bannon	Wilder
Dominick	Lindsey	Pelham	Wilson
Dozier			

—24

Nays:

—0

The Bill:

S. 1000. To create in the State Department of Conservation a Division of Land Surveys; to provide for an officer designated Chief of the Division of Land Surveys, his oath of office and duties, acting for and in behalf of the Director of Conservation; to establish an Advisory Board for the Division of Land Surveys, its membership, duties and functions; to provide for a chairman of the Advisory Board and to provide for regular and special meetings, to provide for the travel and other necessary expenses of the members of the Advisory Board; to provide for the acquisition of lands, or interests therein, by the Division; to provide for public land survey corners and to make it a misdemeanor to destroy same; to provide for extension of a triangulation and leveling net of precision; to provide for a location of the Division; to give certain personnel of the Division the right to enter upon private property for certain purposes and to provide for payment for any damages that might be incurred while on said property, and to provide that said personnel shall be immune from arrests for trespassing in performing their legal duty on said property; to provide for the furnishing of certain information to the Division by certain public officials; to provide for the furnishing of records to other public agencies and to provide for the admission for certain records of the Division in court proceedings; to provide that certain employees be registered land surveyors and providing that no employee of the Division shall engage in private land surveying or consultation; to grant the Division the right to produce and sell maps and other data and providing for the deposit of such funds; to grant to the Division power to enter into contracts; to establish a Land Surveys Fund to accomplish the purposes and to fulfill the provisions of this Act; and further providing that any moneys in the Land Surveys Fund in excess of \$100,000.00 at the end of any state fiscal year shall be transferred into the General Fund of the State.

was taken up.

The Standing Committee on Conservation reported the following substitute for the Bill, S. B. 1000, to-wit:

#### SENATE CONSERVATION COMMITTEE

#### SUBSTITUTE FOR S. B. 1000

#### A BILL TO BE ENTITLED AN ACT

To create in the State Department of Conservation a Division of Land Surveys; to provide for an officer designated Chief of the Division of Land Surveys, his oath of office and duties, acting for and in

behalf of the Director of Conservation; to establish an Advisory Board for the Division of Land Surveys, its membership, duties and functions; to provide for a chairman of the Advisory Board and to provide for regular and special meetings; to provide for the travel and other necessary expenses of the members of the Advisory Board; to provide for the acquisition of lands, or interests therein, by the Division; to provide for public land survey corners and to make it a misdemeanor to destroy same; to provide for extension of a triangulation and leveling net of precision; to provide for a location of the Division; to give certain personnel of the Division the right to enter upon private property for certain purposes and to provide for payment for any damages that might be incurred while on said property, and to provide that said personnel shall be immune from arrests for trespassing in performing their legal duty on said property; to provide for the furnishing of certain information to the Division by certain public officials; to provide for the furnishing of records to other public agencies and to provide for the admission for certain records of the Division in court proceedings; to provide that certain employees be registered land surveyors and providing that no employee of the Division shall engage in private land surveying or consultation; to grant the Division the right to produce and sell maps and other data and providing for the deposit of such funds; to grant to the Division power to enter into contracts; to establish a Land Surveys Fund to accomplish the purposes and to fulfill the provisions of this Act; and further providing that any moneys in the Land Surveys Fund in excess of \$100,000.00 at the end of any state fiscal year shall be transferred into the General Fund of the State.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created in the State Department of Conservation a Division of Land Surveys for the purpose of establishing, maintaining, and preserving the land monuments, section corners, and other physical accessories of the United States public land survey within Alabama, and the field notes and plats and other documents connected therewith.

Section 2. The Division of Land Surveys shall be headed by, and be under the direction, supervision and control of an officer who shall be designated "Chief of the Division of Land Surveys." He shall be appointed by the Director of Conservation, with the approval of the Governor, with the additional requirement that he be a registered land surveyor within the State of Alabama with training and experience properly qualifying him for the performance of his official duties, and he shall be under and subject to the provisions of the State Merit System.

Section 3. Before entering upon the discharge of his duties, the Chief of the Division of Land Surveys shall take the constitutional oath of office. His salary shall be fixed by the State Personnel Board as it may deem appropriate or as otherwise fixed by law. He shall devote his full time to his official duties and shall hold no other lucrative position while serving as said Chief of the Division of Land Surveys.

Section 4. The Director of Conservation, acting by and through the Chief of the Division of Land Surveys, is hereby vested with the following functions, duties and responsibilities:

(1) To restore, maintain, and preserve the land survey monuments, section corners, quarter section corners established by the United States public land survey within Alabama, together with all pertinent field notes, plats and documents; and also to restore, establish, main-

tain and preserve other boundary markers considered by the Division to be of importance, or otherwise established by law;

(2) To design and cause to be placed at established public land survey corner sites, where practical, substantial monuments permanently indicating, with words and figures, the exact location involved. If such monuments cannot be placed at the exact corner point, then witness corners of similar design shall be placed as near by as possible, with words and figures indicating the bearing and distance to the true corner;

(3) To establish, maintain, and provide safe storage facilities for a comprehensive system of recordation of information respecting all monuments established by the United States public land survey within this State, and such records as may be pertinent to the Division's establishment or maintenance of other land corners, Alabama coordinate system stations and accessories, and monuments in general.

(4) To extend throughout this State a triangulation and leveling net of precision, whereby the Alabama State coordinate system, already initiated within this State by the United States Coast and Geodetic Survey, may be made to cover to the necessary extent those areas of the State which do not now have enough geodetic control stations to permit the general use of the system by land surveyors and others;

(5) To collect and preserve information obtained from surveys made by those authorized to establish land monuments or land boundaries, and to assist in the proper recording of the same by the duly constituted county officials, or otherwise;

(6) To furnish, upon reasonable request and tender of the required fees therefor, certified copies of records created or maintained by the Division. When certified by the Chief of the Division of Land Surveys or a designated assistant, the records shall be admissible in evidence in any court in this State as the original record; and

(7) To prescribe, and disseminate to those engaged in the business of land surveying, regulations designed to establish uniform professional surveying and mapping methods and standards in this State.

Section 5. There is hereby created an Advisory Board to the Division of Land Surveys the membership of which shall consist of five members appointed by the Governor. One member shall be a landowner in the State of Alabama; two shall be registered land surveyors and members of the Alabama Society of Professional Land Surveyors within Alabama; one an Alabama professional engineer and registered land surveyor; and the fifth an Alabama citizen who is an attorney. All members except the landowner shall be appointed by the Governor from a list of three (3) names for each position on the Board submitted by the Alabama Society of Professional Land Surveyors.

Section 6. Of the five members first appointed to the Division of Land Surveys Advisory Board, one shall be appointed for a term of one year, one for two years, one for three years, and two for four years. At the expiration of the term of each member, the Governor shall appoint a successor, who shall hold office for a term of four years and until his successor has been appointed and qualified. Vacancies in the office of the members of the Advisory Board shall be filled by appointment by the Governor for the unexpired term in the manner provided in Section 5 above.

Section 7. Members of the Advisory Board, upon induction into office, shall take the customary oath of office to support the constitution

of the United States, and that of Alabama, and to faithfully demean themselves in office. They shall serve without compensation, but each shall be reimbursed for actual and necessary travel and other expenses incurred in the performance of his duties.

Section 8. Members of the Advisory Board shall choose one of its five members as chairman. The Board shall meet at least four times a year, and the chairman shall determine the time and place for any special meeting. Regular meetings shall be held as agreed upon by members of the Board.

Section 9. The Advisory Board shall assist the Director of Conservation and the Chief of the Division of Land Surveys in formulating the policies of said division in the performance of its functions and duties and shall advise the Director of Conservation concerning any matter relating to the functions and duties of said division.

The Chief of the Division of Land Surveys shall carry out the routine functions and duties of the Division, as prescribed herein. He shall recommend for employment, including their compensation, and of such assistants, and employees as are required for the performance of the work of the Division, within the provisions of the Merit System Act and the limits of the funds appropriated. Subject to approval of the Director of Conservation and through authorized personnel, he shall actively conduct such land surveys or geodetic or leveling surveys as may be necessary to properly locate section corners and boundaries, geodetic or Alabama coordinate horizontal control points or stations or precise level net bench mark stations, and other monuments necessary to a proper and accurate description in real estate conveyancing. He shall cause to be placed permanent markers for all corners, bench marks, stations, or boundaries. He shall perform such other work and acts as shall, in the judgment of the Director of Conservation be necessary and proper to carry out the objectives of this Act.

Section 10. The Department of Conservation, Division of Land Surveys, may acquire in the name of the State of Alabama, lands or interests therein, where necessary, to establish permanent monuments; and may lease or purchase or acquire by negotiation land, if necessary, for the establishment of an office of the Division, which shall be at or near the Capitol Complex in the City of Montgomery.

Section 11. The custody and ownership of the original United States public land survey corners and accessories has never been released or surrendered by the State of Alabama. These survey corners and their accessories are property of the State of Alabama. This includes all restorations and replacements of the original corners and all their accessories, witness trees and objects as well. The alteration, removal, disfiguration or destruction of any of the corners or accessories, without specific permission of the Division of Land Surveys, is an act of destruction of state property and is punishable as a misdemeanor.

Section 12. Members of the Advisory Board, the Chief of the Division of Land Surveys, or any and all employees of the Division, shall have the right to enter upon private property for the purpose of making surveys, or for searching for, locating, re-locating, or re-monumenting land monuments, leveling stations, or section corners. Should any of these persons necessarily damage property of the owner in making the surveys or searches or re-monumentations, the Division may make reasonable payment for the damage through the State Board of Adjustment. However, members of the Advisory Board or any employees of the Division are personally liable for any damage caused by their wantonness, willfulness or negligence. All members of the Advisory Board and all Division employees are immune from arrest

for trespass in performing their legal duties as herein stated, by presenting cards issued by the division giving the persons or employees permission so to enter private property.

Section 13. On request of the Chief of the Division of Land Surveys, all Probate Judges or other recorders of deeds, mortgages or other instruments dealing with any interest in real property, together with all departments, boards or agencies of state government, county or city government, shall furnish to the Division of Land Surveys certified copies of desired records which are in their custody. This service shall be free of cost when possible; otherwise it shall be at actual cost of reproduction of the records. On the same basis of cost, the Division shall furnish records within its custody to other agencies or departments of state, county or city, certifying them. Copies of records of the Division when so certified by the Chief of the Division, shall be admitted in evidence, without further identification, in any court proceeding in the State if the substance of the record is properly admissible in the proceeding.

Section 14. Every employee of the Division of Land Surveys who is engaged in work required by law to be done by a registered land surveyor will be so registered. And no employee of the Division shall engage in private land surveying or consultation while so employed by the Division.

Section 15. The Division of Land Surveys may produce, reproduce and sell maps, plats, reports, studies, and records, and shall fix the charge therefor. All income received from the sales shall be promptly deposited in the State Treasury to the credit of the "Land Surveys Fund," which is hereby established.

Section 16. Whenever the Division of Land Surveys deems it expedient, and when funds appropriated permit, the Division shall have the power to enter into contract with agencies of the United States, with agencies of sister states, or with private persons, registered land surveyors or professional engineers, in order to plan and execute other projects that are within the scope and purpose of this Act.

Section 17. Under no circumstances shall the total amount of warrants issued by the comptroller in payment of the expense and compensation provided for in this Act exceed the amount provided therefor by the Legislature in the general appropriation or other appropriation bills.

Section 18. This Act shall not be construed as to authorize or require the Division of Land Surveys to survey or re-survey the entire State of Alabama. However, the Division may perform such surveys as it may, from time to time, deem necessary to fulfill the purposes of this Act.

Section 19. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 20. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 21. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

*Yeas:*

Messrs.:	Edington	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Carr	Harris	Malone	Register	
Cook	Jones	Noonan	Vacca	
Cooper	King	O'Bannon	Weaver	
Dominick	Lindsey	Owen	Wilson	
Dozier				—24

*Nays:* —0

And said Bill, S. B. 1000, as thus amended by the substitute, was read a third time at length and passed and ordered sent to the House without engrossment.

Yeas 27; Nays 0.

*Yeas:*

Messrs.:	Edington	Littleton	Pierce	
Bailes	Fine	Lybrand	Register	
Carr	Harris	McLain	Shelby	
Cook	Hawkins	Noonan	Vacca	
Cooper	Jones	O'Bannon	Weaver	
Dominick	King	Owen	Wilder	
Dozier	Lindsey	Pelham	Wilson	
				—27

*Nays:* —0

The Bill:

H. 700. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of obligations of counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

Was read a third time at length and passed.

Yeas 30; Nays 0.

*Yeas:*

Messrs.:	Foshee	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Fine	King	Pelham		—30

*Nays:* —0

The Bill:

H. 701. To amend Sections 1 and 3 of Act No. 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of obligations of public corporations and public bodies.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Cook	Harris	Noonan	Vacca
Dominick	Hawkins	O'Bannon	Weaver
Dozier	Jones	Owen	Wilson

—27

Nays:

—0

The Bill:

H. 220. To amend Act No. 1122, S. 408, Legislature of 1969, Regular Session, (Acts of Alabama, 1969 and 1970, Vol. III, P. 2077) which makes an appropriation to the Agricultural Center Board for agricultural fairs by amending Sections 11 and 13 of said Act relating to payments of special merit awards and the per diem and travel allowance of the special awards committee for fairs.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Clark	Hammond	Lybrand	Shelby
Cook	Harris	McLain	Wilder
Cooper	Hawkins	Noonan	Wilson
Dominick	Jones	Owen	

—26

Nays:

—0

The Bill:

H. 727. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, recompiled 1958, in relation to be recorded on filing and when record used on trial of cause.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dozier	King	O'Bannon
Bailes	Fine	Lindsey	Owen
Branyon	Foshee	Littleton	Pelham
Carr	Gilmore	Lybrand	Register
Clark	Givhan	McLain	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dominick	Jones		

—29

Nays:

—0



The Bill:

H. 183. To empower corporations to participate in partnerships and other associations, to repeal inconsistent legislation, to provide that this Act is expressive of existing law and to provide that the provisions of this Act shall be severable.

was taken up.

Mr. Lindsey offered the following amendment to the Bill, H. B. 183, to-wit:

#### AMENDMENT TO H. 183

Section 1 of H. B. 183 is amended to read as follows:

"Section 1. Every corporation, whether or not organized under the laws of this state and whether or not organized for profit, shall have the power, unless such power is expressly denied to the corporation by its charter, to participate with others in any general partnership, limited partnership (whether the participating corporation be a limited or general partner, or both), joint venture, syndicate, pool or other association of any kind, or in any transaction, undertaking or arrangement which the participating corporation would have power to conduct by itself, whether or not such participation involves sharing or delegation of control with or to others. Such participation by said corporation, other than as a limited partner, in any such association, partnership, joint venture, syndicate, transaction, arrangement, or undertaking in this state is hereby declared to be doing business in this state."

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dominick	Jones	O'Bannon	
Bailes	Dozier	King	Pelham	
Branyon	Foshee	Lindsey	Vacca	
Carr	Gilmore	Littleton	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Malone	Wilson	
Cooper	Hawkins	Noonan		—26

Nays: —0

And said Bill, H. B. 183, as thus amended, was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Dominick	King	O'Bannon	
Bailes	Dozier	Lindsey	Owen	
Branyon	Gilmore	Littleton	Pelham	
Carr	Givhan	Lybrand	Register	
Clark	Hawkins	McLain	Vacca	
Cook	Jones	Noonan	Weaver	
Cooper				—24

Nays: —0

The Bill:

H. 465. To authorize certain fiduciaries to convert, exchange or surrender any security as defined in this Act and to accept, receive and

retain any other security as a result of any merger, reorganization, tender, exchange offer or other business transaction as enumerated in this Act; to provide that this Act shall apply to any security with respect to which this Act gives authority to a fiduciary no matter when the fiduciary relationship was established or when said security was acquired; to provide that the invalidity of any section, part or provision of this Act shall not affect the validity of the remaining portion of this Act; to repeal all laws or parts of laws in conflict with the provisions of this Act and to provide an effective date.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Bailes	Foshee	Lybrand	Pierce
Branyon	Gilmore	McLain	Register
Carr	Givhan	Malone	Vacca
Clark	Harris	Noonan	Weaver
Cook	Jones	O'Bannon	Wilder
Cooper	King	Owen	Wilson
Dozier			

—28

Nays:

—0

The Bill:

S. 496. To amend Code of Alabama 1940, Title 26, Section 158, relating to persons working in coal mines.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 8.

Yeas:

Messrs.:	Fine	Lybrand	Register
Bailes	Hammond	McLain	Vacca
Carr	Jones	Noonan	Weaver
Cook	King	O'Bannon	Wilder
Cooper	Lindsey	Pelham	Wilson

—19

Nays:

Messrs.:	Gilmore	Harris	Owen
Clark	Givhan	Hawkins	Pierce
Dozier			

—8

The Bill:

S. 483. To further amend Act No. 422 of the 1951 Regular Session of the Legislature of Alabama, as amended; to regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen; defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof; fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Givhan	McLain	Vacca	
Cook	Harris	Noonan	Wilder	
Cooper	Hawkins	O'Bannon	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 29. Relating to Water Safety; changing the name of the Division of Water Safety of the Department of Conservation to "Division of Marine Police"; granting additional powers to the law enforcement personnel of said Division.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Pierce	
Bailes	Edington	King	Register	
Branyon	Fine	Littleton	Shelby	
Carr	Foshee	Lybrand	Vacca	
Clark	Gilmore	McLain	Weaver	
Cook	Givhan	Noonan	Wilder	
Cooper	Hammond	O'Bannon	Wilson	
Dominick	Hawkins	Pelham		—30

Nays: —0

The Bill:

H. 305. Establishing, providing for appointment to and operation of Board of Radiologic Technologists Examiners; to provide for educational and training qualification standards for radiologic technologists; to provide for examination and licensing of and annulment or revocation of licenses of radiologic technologists; providing for the enforcement of this Act; providing for and prescribing penalties and fees.

was taken up.

The Standing Committee on Education reported the following amendment to the Bill, H. B. 305, to-wit:

#### AMENDMENT TO H. B. 305

In Section 18 of the bill, immediately after the paragraph entitled "Temporary License," insert the following: "Upon individual application, special permits to physicians, exempting them from the provisions of this Act or the rules and regulations issued thereafter, may be issued if the physician affirms in writing to the Board, and presents evidence to show that the people in the locality in which he serves would be

denied access to adequate medical care because of the unavailability of certain licensed practitioners or persons holding general certificates under this Act, and such permits may be renewed for cause."

Which was adopted.

Yeas 24; Nays 1.

Yeas:

Messrs.:	Gilmore	Lybrand	Pierce	
Bailes	Givhan	McLain	Register	
Branyon	Hawkins	Noonan	Shelby	
Carr	Jones	O'Bannon	Vacca	
Cook	King	Owen	Wilder	
Fine	Lindsey	Pelham	Wilson	
Foshee				—24

Nay: Mr. Cooper —1

And said Bill, H. B. 305, as thus amended, was read a third time at length and passed.

Yeas 26; Nays 1.

Yeas:

Messrs.:	Foshee	Littleton	Pierce	
Bailes	Gilmore	Lybrand	Register	
Branyon	Harris	McLain	Vacca	
Carr	Hawkins	Malone	Weaver	
Cook	Jones	Noonan	Wilder	
Dominick	King	Owen	Wilson	
Dozier	Lindsey	Pelham		—26

Nay: Mr. Cooper —1

The Bill:

H. 27. To amend Section 460, Title 51, Code of Alabama, 1940, as amended, relating to annual license fees for attorneys.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dozier	Lindsey	Pelham	
Bailes	Edgington	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Givhan	McLain	Vacca	
Clark	Hawkins	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilder	
Cooper	King	Owen	Wilson	
				—27

Nays: —0

The Bill:

S. 304. To provide for the operation of cotton wagons over the public roads of the state.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Givhan	Littleton	Pierce
Clark	Hammond	Lybrand	Register
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Noonan	Weaver
Edington	Jones	O'Bannon	Wilson

—27

Nays:

—0

The Bill:

S. 352. To provide further for the fees paid justices of the peace for the trial of criminal cases.

was taken up.

The Standing Committee on Judiciary reported the following substitute for the Bill, S. B. 352, to-wit:

#### SUBSTITUTE FOR S. B. 352

#### A BILL TO BE ENTITLED AN ACT

To provide for the conviction of an accused and the payment of fines in cases involving violation of the traffic and motor vehicle laws of the State of Alabama and the municipalities thereof upon a written waiver of trial and a written plea of guilty, and without the personal appearance of the accused before the Court having jurisdiction of such case.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) Whenever a person shall be arrested and charged with a violation of the provisions of Title 36 of the 1940 Code of Alabama, as amended, or with a violation of the traffic or motor vehicle laws or ordinances of any incorporated municipality of the State of Alabama, he may waive his right to a public and prompt trial of such charge by executing a written waiver of such right and filing the same in the Court having jurisdiction; except that this act shall not apply to those violations of law referred to in Section 52, (b), Title 36 Code of Alabama of 1940, as amended.

(b) Such person so charged with a violation referred to in Section 1 (a) above may also enter his plea of guilty to such charge in written form and file the same in the Court having jurisdiction, without personally appearing before the Court, and such plea of guilty shall have the same force and effect as a finding of guilty by the Court after actual trial of the case, and the conviction determined by such written plea of guilty will be entered against the driving record of such person with the same force and effect and consequences as though such conviction was determined after actual trial.

(c) The Judge of the Court in which such person is charged may publish a schedule of fines and court costs which he determines to be proper in such cases, and such schedule will accompany said written waivers and pleas of guilty described in (a) and (b) above. Such



Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pelham	
Balles	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	McLain	Weaver	
Clark	Givhan	Malone	Wilder	
Cook	Hammond	Noonan	Wilson	
Cooper				—24

*Nays:* —0

And said Bill, S. B. 352, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

*Yeas:*

Messrs.:	Edington	Lindsey	Pelham	
Balles	Fine	Littleton	Register	
Branyon	Foshee	Lybrand	Shelby	
Carr	Gilmore	McLain	Vacca	
Clark	Givhan	Noonan	Weaver	
Cook	Hammond	O'Bannon	Wilder	
Cooper	Harris	Owen	Wilson	
Dozier	King			—29

*Nays:* —0

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning Senate Bill Number 362, with a suggested Executive Amendment.

Respectfully submitted,

HARRY L. PENNINGTON,  
Executive Secretary.

August 18, 1971

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill Number 362, without my approval and with a suggested Executive Amendment.

It is suggested that the Title to Senate Bill Number 362 be amended by substituting the word, "Commissioners" for the word, "Commissionsers". This is probably a typographical error.

It is further suggested that Section 1. (Section 3) near the top of Page 3 be amended by substituting the word, "charges" for the word, "changes" so that the sentence will read as follows:

"The Governor of Alabama may remove a member of the Board upon proof of charges for inefficiency, incompetency, immorality or professional misconduct."

The adoption of the above suggested Amendments will remove my objections to the Bill.

Respectfully,

GEORGE C. WALLACE,  
Governor of Alabama.

August 18, 1971

#### GOVERNOR'S MESSAGE

On motion of Mr. Cook, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 362. To amend further Act No. 661, Regular Session 1951 (Acts 1951, p. 1125), as amended, which act regulates Barbers, Barber Shops and Barber Colleges etc., and which creates a Barber Commission for all counties having a population of 400,000 or more according to the last or any subsequent federal decennial census, by revising the manner of selecting commissioners.

which said amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Hammond	Lybrand	Register	
Carr	Hawkins	McLain	Shelby	
Cook	Horne	Noonan	Vacca	
Cooper	Jones	O'Bannon	Wilder	
Dominick	King	Owen		—26

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 362, as thus amended by the Executive Amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Littleton	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Hawkins	Noonan	Shelby	
Cook	Jones	O'Bannon	Vacca	
Cooper	King	Owen	Wilder	
Dozier	Lindsey			—25

Nays:

—0



## MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 306. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Clark, the Senate non-concurred in the following House amendment to the bill, S. 306, the title of which is set out in the foregoing message from the House, to-wit:

## AMENDMENT TO S. B. 306

Amend Section 3, Subsection (a), of Senate Bill 306 by striking therefrom the figure "\$3,000,000.00" where it appears in said subsection and inserting in lieu thereof the figure "\$2,000,000.00".

And requested a Committee on Conference.

And the President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Clark, Hammond and Foshee.

## RESOLUTIONS

Mr. Shelby offered the following Senate Joint Resolution, to-wit:

S. J. R. 85. MOURNING THE DEATH OF FORMER SENATOR HENRY H. MIZE OF TUSCALOOSA

WHEREAS, The untimely death of former Senator Henry H. Mize on August 19, 1971, was a tragedy felt not only by his family, friends and constituents in Tuscaloosa County, and by his former colleagues in the Senate, but by the people of the State of Alabama; and

WHEREAS, During his term in the Senate Henry H. Mize earned for himself the love and respect of all with whom he came in contact because of his wisdom, his legal ability, his amiability, his legislative skill, and, above all, his integrity; and

WHEREAS, Henry H. Mize was an honor graduate of the University of Alabama, where he received the A. B., M. A., and LL. B. Degrees, and was a member of Phi Beta Kappa, and graduated number one in his class in the School of Law; and

WHEREAS, Henry H. Mize served Tuscaloosa County in the State Senate from 1946-1950; as president of the Tuscaloosa County Bar Association, as a member of the Board of Education for the city of Tuscaloosa for many years, as Circuit Judge for the 6th Judicial Circuit (Tuscaloosa County) from 1966 until the time of his death, and as president of the Circuit Judges Association of the State of Alabama, and served with distinction as a Lieutenant Colonel in the United States Army in the second World War; and

WHEREAS, Henry H. Mize was a dedicated public servant and was active in his church and in social and civic groups in his area of the State,

WHEREAS, He has left a rich legacy to the State of Alabama through his tireless efforts in the courts and in the legislative halls; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we do deeply mourn the loss of this outstanding statesman and our beloved friend, Henry H. Mize, and extend our heartfelt sympathy to his widow, Mrs. Wilda Mize, and mother, Rosa Mize, and to other members of his family.

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to the above-named surviving members of his family, and that a copy of this Resolution be sent to the presiding Judge of the 6th Judicial Circuit of Alabama in order that it may be framed and placed in the appropriate courtroom.

On motion of Mr. Shelby, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. Edington, Noonan and Pelham offered the following Senate Joint Resolution, to-wit:

S. J. R. 86. MOURNING THE DEATH OF HONORABLE VINCENT F. KILBORN OF MOBILE

WHEREAS, Honorable Vincent F. Kilborn departed this life in Mobile, Alabama on the 21st day of August, 1971, and,

WHEREAS, Mr. Kilborn was a former member of the Senate of Alabama, a distinguished member of the Mobile Bar Association, a pioneer in the field of educational television, a Naval Officer with an outstanding record, and a prominent layman of the Roman Catholic Church, having been Knighted in the Order of Saint Gregory the Great, by Pope Pius XII, and,

WHEREAS, Mr. Kilborn will be sorely missed by his family and friends:

NOW THEREFORE, BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that this body does mourn the death of its late member, Honorable Vincent F. Kilborn, and extends its sympathy to his family.

On motion of Mr. Edington, the Rules were suspended and the Resolution, S. J. R. 86, was adopted by the Senate.

Mr. Edington offered the following Senate Joint Resolution, to-wit:

S. J. R. 87. EXTENDING SYMPATHY TO THE FAMILY OF FRED BATEMAN HOVER, JR.

WHEREAS, Fred Bateman Hover, Jr., a distinguished aviator and former Naval Officer recently lost his life while flying over the Gulf of Mexico, and,

WHEREAS, Mr. Hover was a resident of Chickasaw, Alabama, a graduate of Auburn University, a member of the International Society of Experimental Test Pilots, and a veteran of the United States Navy, in which he earned an outstanding combat record, and,

WHEREAS, he will be sorely missed by his family and friends,

NOW BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING that the Legislature mourns the death of Fred Bateman Hover, Jr. and extends its heartfelt sympathy to his wife, Mrs. Anne Faulk Hover, his daughter, Mistress Leslie Ann Hover, and his parents Mr. and Mrs. Fred B. Hover.

Which was read and ordered to lay over on the Secretary's desk.

Mr. Edington offered the following Senate Joint Resolution, to-wit:

S. J. R. 88. NAMING THE LIBRARY AT MOBILE STATE JUNIOR COLLEGE THE S. D. BISHOP LIBRARY

WHEREAS, Mr. S. D. Bishop for many years served the Mobile Community as Director of the Mobile Branch of Alabama State University and now serves as President of Mobile State Junior College and is highly deserving of recognition in the field of Education.

NOW THEREFORE, BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that the library at the Mobile State Junior College be named the S. D. Bishop Library.

Which was read and ordered to lay over on the Secretary's desk.

Messrs. Pierce and Jones offered the following Senate Joint Resolution, to-wit:

S. J. R. 89. WHEREAS, The educational needs of the Montgomery Area are being served by two local State supported institutions of higher learning, Alabama State University, established by an Act of the Alabama State Legislature on February 25, 1887, and Auburn University at Montgomery, established by Act 403 of the 1967 Alabama State Legislature, and by two private institutions, Huntingdon College and Alabama Christian College; and

WHEREAS, Alabama State University and Auburn University at Montgomery, along with the two private institutions named, are at present developing programs and facilities directly responsive to the needs of the Montgomery Area and the State of Alabama; and

WHEREAS, Alabama State University represents an investment in land and facilities of approximately fifteen million dollars, and Auburn University at Montgomery represents an investment in land and facilities of approximately seven and one-half million dollars; and, in addition to the considerable investment in land and facilities, the State of Alabama makes an annual appropriation for operating expenses to the two institutions; and

WHEREAS, The people of the Montgomery Area have made a considerable investment in facilities at Huntingdon and Alabama Christian College; and

WHEREAS, There is a shortage of financial resources for public education at all levels;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That any and all academic programs, credit or non-credit, at the college or university level which are established in response to actual need and any and all facilities built or acquired to serve these programs, funded by the State of Alabama, be administered and directed by either Alabama State University and/or Auburn University at Montgomery.

Which was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning Senate Bill No. 364.

Respectfully submitted,  
HARRY L. PENNINGTON,  
Executive Secretary.

August 19, 1971

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am herewith returning to you, the Body in which it originated, Senate Bill No. 364 without my approval.

Respectfully,  
GEORGE C. WALLACE,  
Governor.

August 19, 1971

#### GOVERNOR'S MESSAGE

On motion of Mr. Cook, the Senate refused to sustain the Governor's veto to the Bill, S. B. 364, which said veto is set out in the foregoing Message from His Excellency, the Governor.

And the Senate reconsidered said Bill.

And said Bill:

S. 364. To provide for the Alcoholic Beverage Control Board to issue liquor licenses to Civic Center Authorities established under Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, p. 797, et seq.); to regulate the issuance of such licenses; to provide the amount of the license tax, or fee, which shall be payable for such licenses; to provide that such license shall authorize the Civic Center Authority holding the same to keep and sell in its Civic Center alcoholic, malt and vinous beverages, and to repeal laws or parts of laws in conflict with the provisions of this Act.

was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 27, Nays 2, the Governor's veto to the contrary notwithstanding.

Yeas:

Messrs.:	Fine	King	O'Bannon
Bailes	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Cook	Hammond	Lybrand	Shelby
Dominick	Harris	McLain	Vacca
Dozier	Hawkins	Malone	Weaver
Edington	Jones	Noonan	Wilder

—27

Nays: Cooper, Pelham

—2

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning Senate Bill No. 365.

Respectfully submitted,

HARRY L. PENNINGTON,  
Executive Secretary.

August 19, 1971

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I am herewith returning to you, the Body in which it originated, Senate Bill No. 365 without my approval.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 19, 1971

## GOVERNOR'S MESSAGE

On motion of Mr. Cook, the Senate refused to sustain the Governor's veto to the Bill, S. B. 365, which said veto is set out in the foregoing Message from His Excellency, the Governor.

And the Senate reconsidered said Bill.

And said Bill:

S. 365. To provide that this act shall apply to each county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving, or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area, to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to establish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either of the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama of 1940, as now or hereafter amended.

was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 27, Nays 3, the Governor's veto to the contrary notwithstanding.

*Yeas:*

Messrs.:	Fine	Lindsey	Owen
Bailes	Foshee	Littleton	Pierce
Carr	Gilmore	Lybrand	Register
Cook	Hammond	McLain	Shelby
Dominick	Harris	Malone	Vacca
Dozier	Jones	Noonan	Weaver
Edington	King	O'Bannon	Wilder

—27

*Nays:*

Messrs.:	Cooper	Hawkins	Pelham
----------	--------	---------	--------

—3

## RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 90. RESOLVED BY THE SENATE That the following Bills shall be the paramount and continuing order of business for the Thirtieth Legislative Day only:

Bill No.	Page
1. H. B. 1121	197
2. H. B. 1122	197
3. S. B. 375	8
4. S. B. 446	49
5. S. B. 23	25
6. H. B. 1151	293
7. H. B. 675	109
8. H. B. 184	11
9. H. B. 285	11
10. S. B. 122	11
11. H. B. 14	16
12. S. B. 946	198
13. S. B. 304	12
14. S. B. 1047	6 (Sup., 29th Day)
15. S. B. 871	180
16. S. B. 965	183
17. H. B. 451	40 (2nd Sup.)
18. S. B. 256	45 (Sup.)
19. H. B. 6	67
20. H. B. 82	67
21. S. B. 255	19
22. H. B. 5	66
23. H. B. 894	296
24. H. B. 970	5 (1st Sup.)
25. S. B. 146	76
26. H. B. 143	109
27. H. B. 37	318
28. H. B. 39	320

Mr. Hammond offered the following amendment to the Resolution, S. R. 90, to-wit:

## AMENDMENT TO S. R. 90

To amend the S. R. 90 for the Thirtieth Legislative day only by deleting the following: No. 27, H. B. 37 and No. 28, H. B. 39.

Which was adopted.

Mr. Cooper offered the following amendment to the Resolution, S. R. 90, as amended, to-wit:

## AMENDMENT TO S. R. 90

Amend Rules Committee Resolution No. 90 by inserting H. B. 39 as item No. 10 and replacing item No. 28 with S. B. 122.

On motion of Mr. Clark, said amendment was laid on the table.

Mr. Cooper then offered the following amendment to the Resolution, S. R. 90, as amended, to-wit:

## AMENDMENT TO S. R. 90

Amend S. R. 90 by deleting therefrom S. B. 122 on page 11 of the calendar.

Mr. Pelham offered the following substitute amendment for the Cooper amendment to S. R. 90, as amended, to-wit:

## SUBSTITUTE AMENDMENT FOR COOPER AMENDMENT TO S. R. 90

Amend S. R. 90 as follows: Delete therefrom S. B. 122 under No. 10. Insert after H. B. 285 under No. 9, S. B. 726, p. 76, and S. B. 729, p. 55, and renumber the subsequent bills.

Which was adopted.

And said Cooper amendment, as thus amended by the Pelham amendment, to the Resolution, S. R. 90, as amended, was then adopted by the Senate.

And the Resolution, S. R. 90, as thus amended, was then adopted by the Senate.

## MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request the Senate to return to the House for further consideration House Bill No. 1810.

H. 1810. To amend Title 51, Section 178, Code of Alabama 1940, as amended, to increase rate of taxation.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

On motion of Mr. Fine, the Senate acceded to the request of the House for the return of the Bill, H. B. 1810, the title of which is set out in the foregoing Message from the House.

And the Chairman of the Standing Committee on Finance and Taxation was requested to return the Bill, H. B. 1810, to the Senate in order to comply with the request of the House.



## RECESS

At 5:30 P. M., on motion of Mr. Fine, the Senate took a recess until 7:30 P. M.

The Recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lyons, Roberts, Bank, Stokes, Carter, Warren, Stewart, Kinsey, Wynot, King, Callahan, Collins, Therrell, Downing, Jones (F), Agee, O'Daniel, Turner, Culver, Parker (T), Robertson and McBride:

H. 875. To raise revenue by levying an excise and privilege tax on every person engaged in the severance of coal from the soil in this state; to provide for the collection, payment and administration of such tax; to provide for the use of the proceeds of such tax; to provide for refunds of excess taxes; to provide for penalties for violation of the provisions of this Act; and to provide for eventual termination of such tax.

Also:

By Mr. Lyons:

H. 876. To amend the title to and Sections 4, 5 and 8 of Act No. 64, S. 63, Special Session of 1971, approved April 29, 1971, entitled, "An Act to authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$15,000,000 principal amount of revenue bonds for the purpose of the construction, improvement and equipment of additional seaport facilities at the Port of Mobile for the handling and storage of coal, coke, or any other materials in bulk or containers, or any other method of shipment, to authorize the Department to make temporary loans by the sale and issuance of its bond anticipation notes and to pay such notes and the interest thereon out of proceeds from the sale of the bonds herein authorized; to provide for the details of the bonds and notes issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of the said Department derived from the facilities constructed with the proceeds of the said notes and bonds, except that the notes shall also be payable out of the proceeds from the sale of the bonds; to provide for and authorize the pledge of the gross revenues of the said facilities for payment of the said principal and interest and that such pledge will constitute the first charge on the revenues so pledged; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing or any pledge or instrument securing, the said bonds; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits or funds of the State of Alabama or of any instrumen-

tality or agency of the State, and shall be lawful for the investment of fiduciary funds; to authorize the investment of proceeds of the bonds and the notes not presently needed for the purposes for which they are issued; and to provide that the provisions of this Act shall be severable and any portion hereof that may be held invalid shall not affect the remaining portion", so as to include in the revenues pledged to the retirement of the said bonds and notes the proceeds from a coal severance tax and to restrict the monies pledged from the revenues of the Alabama State Docks facility itself to the proceeds from a certain handling charge authorized for this express purpose, and to authorize the Alabama State Docks Department to impose and collect a special handling charge on coal.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 875 and 876. To the Committee on Commerce, Transportation and Common Carriers.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Perloff, Downing, Wood, Nettles, Callahan, Stokes, Therrell and Lyons:

H. 2571. To amend Act No. 126, H. 58, Special Session 1971, approved May 11, 1971, which Act provided for additional court costs in certain cases in the thirteenth judicial circuit, by excepting certain proceedings from said costs.

Also:

By Messrs. Downing, Stokes and Callahan:

H. 2569. Relating to all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent decennial census; to provide for and create a County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county.

Also:

By Messrs. Downing, Stokes, Callahan, Wood, Collins, Therrell, Nettles and Lyons:

H. 2568. Relating to counties having populations of not less than 300,000 nor more than 600,000; to authorize the county commission of such county to appropriate funds for the relief of Nollie Thompson.

Also:

By Messrs. Collins, Therrell, Callahan, Nettles, Roberts, Stokes and Perloff:

H. 2352. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing authorization for the superintendent of the Public School System in any such county to disburse funds for meals, travel, room and board as provided.

Also:

By Messrs. Stokes, Callahan, Nettles and Roberts:

H. 2057. Relating to the Court of General Sessions of Mobile County; further providing for its jurisdiction, salaries of judges, powers, duties, costs and rules of procedure; repealing Section 22 and amending Sections 3, 8, 10, 11, 20, 21 and 23 of Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

#### A BILL TO BE ENTITLED AN ACT

Relating to the Court of General Sessions of Mobile County; further providing for its jurisdiction, salaries of judges, powers, duties, costs and rules of procedure; repealing Section 22 and amending Sections 3, 8, 10, 11, 20, 21 and 23 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended, is further amended to read as follows:

"Section 3. The judges of the Court of General Sessions shall hold office for terms of six years and until their successors are elected and qualified. They shall be elected at the general election to be held in November, 1960, and every six years thereafter, and shall be installed in office on the first Monday after the second Tuesday in January, next following their election. They shall qualify by taking the oath of office prescribed for other judicial officers by the Constitution of Alabama. Each judge shall receive as compensation for his services as judge of the Court of General Sessions of Mobile County, an annual salary of Twenty Thousand Dollars (\$20,000.00), which shall be paid in equal monthly installments out of the general fund of Mobile County, Alabama. No judge of said Court shall engage in the practice of law; provided, that this shall not apply to a special judge serving on a temporary basis."

Section 2. Section 8 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended, is further amended to read as follows:

"Section 8. The Court of General Sessions of Mobile County shall have and exercise civil jurisdiction according to the general law of Alabama concurrently with the justices of the peace in all precincts in Mobile County outside the limits of the City of Mobile, and the said Court shall have and exercise civil jurisdiction in Mobile County concurrently with the Circuit Court of Mobile County in all civil matters

where the amount in controversy does not exceed One Thousand Five Hundred Dollars. The Court shall not have jurisdiction in equity nor of actions of libel, slander, assault and battery, ejectment and actions in the nature of ejectment. Nothing in this Act shall be construed to give the judges of the Court of General Sessions of Mobile County any authority to grant writs of certiorari, supersedeas, quo warranto, prohibition or mandamus, injunction or ne exeat."

Section 3. Section 10 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), is amended to read as follows:

"Section 10. The costs in civil and criminal cases, except as hereinafter especially provided, shall be the same as prescribed by law for justices of the peace, to be collected in the same manner as in justice of the peace courts. In civil cases, the following specific costs shall be charged and collected. Summons and proceedings thereon to judgment, \$1.50; Docketing each cause, \$1.00; Attachment Bond and Affidavit, \$2.50; Issuing each attachment, \$1.00; Summoning Garnishee and taking examination, \$1.00; Subpoena for each witness, \$.50; Execution and taxing costs thereon, \$1.00; Each appeal or certiorari, \$1.50; Every necessary certificate or notice not otherwise provided for, \$1.00; for issuing each writ of detinuo, \$1.00; For each Scire Facias or notice in nature thereof, \$1.00; Every other Bond, \$1.00; Administering an oath and certifying same, \$.50; Issuing Notice of Appeal, \$1.00; Judgment Ni Si against garnishee, \$1.00; Writ of Discovery, Contempt and Arrest, \$1.00; Alias Summons \$1.50. In criminal cases, the following specific costs shall be charged and collected: Each complaint, \$.50; Issuing Warrant of Arrest, \$1.00; Issuing Search sions of Mobile County, the court may set Warrant, \$2.00; Issuing Subpoena or notice, \$.50; Order of Commitment to Jail, \$.50; Each Continuance, \$.50; Taking Bond and Certifying proceedings on appeal, \$2.00; Execution for costs, \$.50; Issuing Attachment Warrant, \$1.00; Certified copy of transcript, \$2.00; Docketing each cause, \$.50; Certified copy of bond, \$1.00.

"In addition to the foregoing costs, there shall be collected in each case, as part of the costs thereof, the sum of \$1.00, which shall be collected and paid into the county treasury for the benefit of the County Law Library Fund."

Section 4. Section 11 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended, is further amended to read as follows:

"Section 11. The business of the Court of General Sessions shall be divided between the judges as provided for by the rules and orders of the court. The presiding judge shall be responsible for the observance of such rules and orders and shall divide the business and assign the cases so far as such rules and orders do not otherwise prescribe. If the two judges of the court are unable to agree upon the adoption of rules or orders for that purpose, the presiding judge of the circuit court of the county shall make the necessary orders. If either of the judges of said court is unable to attend court and unable to make an order of adjournment, the clerk may adjourn the court to the next regular term or to an earlier date which he may determine. When the office of judge becomes vacant all pending process shall when necessary be specially continued by the clerk until a judge is appointed and qualified. Any such vacancy shall be filled by the Governor by appointment for the unexpired term. In case of failure or inability of either judge to attend and perform his duties in said court because of sickness, and when either judge is absent on vacation, then in any such event the other judge shall, if he deems it necessary and in the best interests of the court, appoint some competent person who is a qualified elector and who is learned in the law to be and act as special judge during the

period of such incapacity or absence. Such special judge shall receive as compensation for his services the same compensation as the regular judge receives whom he replaces; such compensation to be paid such special judge, however, shall be in addition to, and not deducted from or effect in any manner whatsoever, the compensation received by the regular judge whom such special judge replaces. The compensation to be paid such special judge shall be paid to him on certificate of the appointing judge that such special judge has performed such services, and shall be paid him in the same manner and out of the same funds of the County of Mobile, Alabama, as the regular judge whom he replaces is paid, said special judge to be paid, however, for only the actual number of days he shall so serve as such special judge on a per diem basis."

Section 5. Section 20 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328), as amended, is further amended to read as follows:

"Section 20. All civil cases shall be tried by the judge of the court without the intervention of a jury, the judge determining both the law and the facts. However, any party shall have the right to appeal to the circuit court within fifteen days from the rendition of judgment, and on appeal either party may demand a trial by jury under the same rules as are provided by law for demands for jury trials in cases of appeals from judgments of justices of the peace; and the trial in the circuit court shall be de novo and shall conform to the procedure now fixed by law in appeals from courts of justices of the peace. During the fifteen days next succeeding the granting and entry of any judgment in the exercise of the civil jurisdiction in the Court of General Sessions, amend, vacate or modify such judgment for any reason for which a Circuit Court may set aside, amend, vacate or modify its judgments according to the Constitution and statutes of this state and the common law."

Section 6. Section 21 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328) as amended, is further amended to read as follows:

"Section 21. Any party desiring to appeal from any judgment, shall give bond with sureties to be approved by the clerk, and payable to the party in whose favor the judgment was rendered, conditioned to pay and satisfy such judgment and costs as may be taxed against him in the circuit court. All such bonds shall be in amounts fixed by law and shall be filed with and approved by the clerk within fifteen days from the rendition of the judgment from which the appeal was taken, except that, in the case of an appeal from a money judgment, the bond given shall be in an amount equal to the amount of such judgment and the costs of court. The amount of any appeal bond referred to herein, exclusive of that portion applicable to court cost, shall not be more than Seven Hundred Fifty Dollars. In lieu of bond with sureties, any such party desiring to appeal from any judgment may deposit with the clerk cash in an amount equal to costs then accrued plus Fifty Dollars, which amount shall be expended, if such party be unsuccessful in said appeal, first to pay costs in the Court of General Sessions and then to pay costs in the circuit court incurred on said appeal and the balance, if any, to be refunded to said party. In the case of an appeal from a money judgment, the party desiring to appeal shall also deposit with the clerk cash in the amount of such judgment, not to exceed, however, Seven Hundred Fifty Dollars, which amount so deposited shall be applied toward satisfaction of any judgment in the circuit court against such party resulting from such appeal. The balance if any, or the full amount if such party be successful on appeal, shall be refunded to the party so appealing."

Section 7. Section 22 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328) is hereby repealed.

Section 8. Section 23 of Act No. 40, S. 4, Second Special Session 1956 (Acts 1956, p. 328, as amended, is further amended to read as follows:

"Section 23. It shall be the duty of the clerk to issue an execution on all judgments rendered in said court after fifteen days from the entry thereof, and place the same in the hands of the sheriff, who shall return such writ of execution within thirty days thereafter, said return to show that he has collected said judgment and paid the same or the amount collected, or is unable to find property of the person against whom said process issued, out of which said execution can be satisfied in whole or in part. When in any case execution against the defendant is returned "No property found," execution may issue against the plaintiff, in the name of the clerk, for all costs created by him in obtaining his judgment or attempting to collect the same. The Court of General Sessions shall have and exercise the powers relating to discovery of assets of judgment debtors as set forth in Article 2 of Chapter 21 of Title 7, Code of Alabama 1940."

Section 9. Should any word, phrase, clause, section or part of this Act be held to be unconstitutional by any court of competent jurisdiction, it shall not affect the remainder of this Act.

Section 10. Sections 1 and 2 of this Act shall take effect on the first Monday after the second Tuesday in January, 1973 and the remaining sections shall take effect on the first day of the second month next following the passage of this Act and its approval by the Governor or its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 24; July 1, 8, 15, 1971.

E. E. KOCH.

Sworn to and subscribed before me this 15th day of July 1971.

W. F. EGAN,  
Notary Public.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2571, 2569, 2568, 2352 and 2057. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Timmons, Parker (H), Erdreich, Doss, Waggoner, Falkenburg, Wallace, Jones (E), Dill, Ellis, Boles and McBride:

H. 2039. To amend Section 2, and to further amend Section 6 and 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Act of Alabama, 1966, Special Session Page 280 et seq.) Entitled "An Act To Provide A Separate Retirement And Relief System For Certain Of The Presently Active Employees Of The City of Birmingham Who Entered The Service Of The Fire Department Of Said City Prior To September 19, 1939, And to Whom Is Applicable The Pension and Relief System Provided By Act No. 307 Of The 1943 Regular Session Of The Legislature Of Alabama, As Amended, And Act Number 22 Of The Second Special Session Of The Legislature of Alabama Of 1956, to Include In Said Separate System Dependents Of Said Presently Active Employees; And To Render Said Act No. 307 And Act Number 22 Inapplicable To Said Certain Presently Active Employees And Their Dependents."

With notice and proof thereto attached and herewith exhibited as follows.

NOTICE IS HEREBY GIVEN OF INTENTION TO APPLY AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1971 FOR THE ADOPTION OF AN ACT WHICH WILL BE AS FOLLOWS:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 2, and to further amend Section 6 and 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Act of Alabama, 1966, Special Session Page 280 et seq.) Entitled "An Act To Provide A Separate Retirement And Relief System For Certain Of The Presently Active Employees Of The City of Birmingham Who Entered The Service Of The Fire Department Of Said City Prior To September 19, 1939, And to Whom Is Applicable The Pension And Relief System Provided By Act No. 307 Of The 1943 Regular Session Of The Legislature Of Alabama, As Amended, And Act Number 22 Of The Second Special Session Of The Legislature of Alabama Of 1956, to Include In Said Separate System Dependents Of Said Presently Active Employees; And To Render Said Act No. 307 And Act Number 22 Inapplicable To Said Certain Presently Active Employees And Their Dependents."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Alabama Acts, 1966 Special Session, Page 280 et seq.) be amended to read as follows:

"Section 2. Definitions.—The following words, terms and phrases, wherever used in this act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

"The City": The City of Birmingham.

"The System": The retirement and relief system established by this act.

"In the service": In the service of the City as a member of its fire department before, on or after the effective date of this act.

"Salary": Money remuneration for time in the service.

"Payroll period": A period of time for which a payment of salary is ordinarily made.

"Earnable daily rate": Monthly rate of salary for time in the service divided by thirty.

"Salary days": Such number of days of a payroll period as equals the actual amount of salary paid to or for, or to and for a member of the system for time in the service in such payroll period, divided by the daily earnable rate of such member for such payroll period.

"Paid membership time": The aggregate of salary days of a member of the system from the salary for which deduction is made pursuant to the provisions of this act for the treasury of the city. Three hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time.

"Prior service time": Time of a member of the system in the service prior to the effective date of this act, except time in the service prior to said effective date for which the member of the system may have received no service pay from the city.

"Creditable time": The creditable time of a member of the system shall include all his prior service time and all his paid membership time.

"Final average salary": The final average salary of any member of the system for purposes of this act shall be the total amount of his salary for such period of two and one half years of consecutive creditable time as may be most favorable to him, divided by thirty; provided, however, that if because of fault, misconduct or inefficiency upon his part a member of the system shall have been demoted more than two and one half years prior to date of his retirement or date of commencement of his disability, as the case may be, such most favorable period shall be subsequent to date of demotion; provided, further, that if a member of the system shall have been demoted for such cause within two and one half years of date of his retirement or date of commencement of his disability, as the case may be, his final average salary shall be the total amount of his salary for the two and one half years of his creditable time next preceding date of his retirement or date of commencement of his disability, as the case may be, divided by thirty; and provided, further, that a member of the system shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deduction from salary under Section 3 of this act.

"Beneficiary": One in whose favor monetary benefits hereunder are accruing on account of retirement, widowhood, childhood, or disability.

"Severance nominee": One designated as such under Section 9 of this act.

"The comptroller": The comptroller of the city, or if hereafter the employee of the city whose duties are those of treasurer or chief financial employee shall be known by some other title, then the employee having said duties.

"The board": The board of managers provided for by Section 15 of this act for the administration, management and control of the system."



Section 2. That Section 6 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Alabama Acts, 1966, Special Session Page 280 et seq.) be amended to read as follows:

"Section 6. Retirement Allowances.—(a) Any member of the system who shall be now or hereafter of the age of sixty or more years, and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any member of the system who, regardless of age, shall have now or hereafter accumulated twenty-five or more years of creditable time, shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance he should voluntarily retire, or be involuntarily retired from the service, he shall be entitled to a monthly retirement allowance from the treasury as hereinafter in this subsection (a) of this section specified. The monthly amount which shall be allowed any member of the system who shall be entitled to a retirement allowance under this subsection of this section shall be two per centum (2%) of his final average salary multiplied by such number of years of his creditable time as shall not exceed thirty years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty (60%) per cent of his final average salary. The amount of any retirement allowance under this subsection of this section shall commence to accrue at date of retirement. (b) Any member of the system who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated twenty (20) years of creditable time, shall be entitled to a monthly retirement allowance from the treasury equal to two per centum (2%) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty (60%) per centum of his final average salary. Anything hereinabove to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntary retirement or dismissal of such person the personnel board or other agency governing tenure of service of employees of the city shall certify that such employee has not contributed by his own fault or misconduct to his separation. (c) The board may treat the end of the payroll period next before actual date of retirement of a member of the system as the date of his retirement for purposes of computation, and for such purposes may disregard a fraction of a year of creditable time less than one-fourth ( $\frac{1}{4}$ th). (d) Subject to the provisions of subsections (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of this act shall continue to accrue throughout the life of such person. (e) If, after any person shall have retired or been retired as hereinabove in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be re-employed in the service, he shall again become a member of the system under the terms of this act and shall again contribute to the treasury as in the case of any other member of the system, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employment in the service, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f) In the event of the death of any retired beneficiary in whose favor a monthly retirement allowance is accruing, or in the event of the death of any employee member entitled prior to his death to voluntarily retire and obtain a retirement allowance under subsection (a) of this Section 6, his spouse and child, or children, shall

be entitled to a monthly allowance in the amount hereinafter specified in this subsection (f), subject to the conditions and limitations herein stated. No spouse shall receive any benefit under this subsection (f) unless such spouse was married to the deceased employee for at least five consecutive years while he was employed in the service of the city. No benefit shall be payable under this subsection (f) to a married child, or to a child over eighteen (18) years of age unless he is attending school, or to any child over twenty-one (21) years of age. A child shall be deemed to be attending school during his vacation between school terms, provided he attended school during the next preceding term and expects to return to school when the next term commences. The benefit payable under this subsection (f) shall be an amount equal to fifty per centum (50%) of the retirement allowance the deceased employee was receiving when he died, or fifty per centum (50%) of the monthly retirement allowance he would have been entitled to receive had he retired immediately before his death. Such benefit shall be payable to the deceased employee's spouse, or child or children, in the following order: (1) to the spouse; and (2) if there is no spouse eligible to receive the benefit, then to the child or children of the deceased employee, if any. If the spouse is ineligible to receive the benefit or having commenced to receive it becomes ineligible to continue receiving it, the benefit shall be paid to the child or children on the conditions prescribed. If two or more children are simultaneously entitled to receive the benefit, it shall be divided equally among the children so entitled. (g) If a member of the system be killed in the line of his duty his spouse, and child or children, shall be entitled to a monthly allowance in the amount and order herein specified in this subsection (g), subject to the conditions and limitations herein stated. All of the limitations and prohibitions prescribed in subsection (f) next above, in respect to the payment of a benefit to a spouse, or child or children, shall apply to the payment of such benefit to a spouse, or child under this subsection (g); provided, however, that the benefit provided for by this subsection (g) shall be payable without regard to the time during which the marriage between the deceased employee and such spouse existed. The benefit payable under this subsection (g) shall be payable to the classes named in the following order and in the following amounts: (1) To the employee's spouse, forty per centum (40%) of the final average salary of such employee. In addition, the spouse shall receive a monthly allowance of ten per centum (10%) of such average salary for each child of such deceased employee; provided, however, that payment of any benefit to the spouse on account of any child, shall be subject to all restrictions above imposed with respect to payment to a child; and provided, further, that the total amount of monthly allowance payable to the spouse for the spouse and for the children shall not exceed fifty per centum (50%) of the final average salary of the deceased employee. (2) If there is no eligible spouse, then there shall be paid to such deceased employee's child or children an amount equal to forty per centum (40%) of the deceased employee's final average salary. In such case the monthly allowance provided hereby for any child of such deceased employee shall be payable to the legal guardian of, or to the person who has custody of said child, for the use and benefit of said child provided, however, if such child may legally accept payment of such allowance, it shall be paid to him. (h) The amount of a surviving spouse's allowance, provided for in (f) and (g) above, shall commence to accrue at the death of the deceased spouse and shall continue to accrue until the surviving spouse's death or remarriage, whichever may first occur. (i) Anything hereinabove to the contrary notwithstanding, any employee member who shall have accumulated in excess of thirty (30) years of creditable time shall be entitled, in addition to the retirement allowance hereinabove provided, to an additional monthly amount equal to two percent (2%) of

his final average salary multiplied by his number of years of creditable time in excess of thirty." (j) The rights of any person heretofore or hereafter retired from the service shall continue to be measured and governed by the terms of the system in effect at the time of such retirement, and should such person die during continuance of such retirement the rights of the spouse and dependents of such deceased retired person and the rights of the spouse and dependents of any other deceased person, shall be measured and governed by the terms of the system in effect at the time of the death of such deceased person and the foregoing provisions of this subsection (j) shall control over anything heretofore or hereafter in the system which may be construed to the contrary.

Section 3. That Section 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Ala. Acts, 1966 Special Session, page 280 et seq.) be amended to read as follows:

"Section 7. Disability Allowances. (a) If any member of the system shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subsection (b) of this section shall not be applicable, then, in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled employee shall be entitled to a monthly allowance from the Treasury equal to two per centum (2%) of his final average salary multiplied by the number of years of his creditable time, and the amount of such disability allowance to commence to accrue on the date on which the employee ceases to draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance under this subsection of this section shall be known as an "ordinary disability allowance." (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service, and occurring at a definite time and place, then in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to seventy per centum (70%) of that amount of his monthly salary from which deductions are being made hereunder at the time of the accident resulting in such total disability, the amount of such total disability allowance to commence to accrue on the date on which the employee ceased to draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an 'extraordinary disability allowance,' but no disability allowance shall be made by the board under this subdivision of this section after twelve months after the accident resulting in such disability, or if such accident occurred while the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance, and unless such resolution be passed within twelve months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability, and such total disability from such injury should thereafter cease, the board may in its discretion continue him on the disability roll until such time as in the judgment of the board he should be able

to find suitable employment at a rate of pay equal to the rate of his disability allowance. Hypertension, heart disease or respiratory disease shall not be considered as caused by accident so as to entitle an employee member to an extraordinary disability allowance, and no employee member or any person claiming under or by reason of relationship to an employee member shall be entitled to an extraordinary disability allowance as a result of disability caused by hypertension, heart disease or respiratory disease, any other law, general or local, to the contrary notwithstanding. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, should resume active duty within a time limit of twelve months after the accident resulting in total disability and for trial period or periods not exceeding an aggregate of one hundred eighty days within such time limit of twelve months after such accident, then such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists, or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions, or any amount payable under Section 11, his right to continuance of disability benefits shall immediately cease. (f) For the purpose of computing disability pay, an employee shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned salary for the purpose of deductions from salary under Section 3 of this Act, or under Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956, whichever is applicable. (g) Anything herein to the contrary notwithstanding, a disability allowance based on disability commencing prior to September 1, 1971, shall be payable at the rate provided for by statute in effect at the time of the commencement of such disability.

Section 4. The provisions of this Amendatory Act are severable. If any part of the Act is declared invalid, unconstitutional or improperly included therein, such declaration shall not affect the part or parts which remain.

Section 5. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in

said State, personally appeared ELEANOR ABERCROMBIE FOSTER, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (Formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of July 10, 17, 24, 31, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,  
Publisher.

Sworn and subscribed to on this the 2nd day of August, 1971.

KAREN W. ABERCROMBIE,  
Notary Public.

Also:

By Messrs. Timmons, Wallace, Parker (H), Erdreich, Doss, Waggoner, Falkenburg, Jones (E), Dill, Ellis, Boles and McBride:

H. 2040. To amend Section 2 and to further amend Sections 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said city prior to September 19, 1939, and to whom is applicable the Pension and Relief System, provided by Act No. 502 of the Regular Session of the legislature of 1923, as reenacted and amended; to include in said separate system dependents of said presently active employees: and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents".

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN OF INTENTION TO APPLY AT THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1971 FOR THE ADOPTION OF AN ACT WHICH WILL BE AS FOLLOWS:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 2 and to further amend Sections 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "AN ACT TO PROVIDE A SEPARATE RETIREMENT AND RELIEF SYSTEM FOR CERTAIN OF THE PRESENTLY ACTIVE EMPLOYEES OF THE CITY OF BIRMINGHAM WHO ENTERED THE SERVICE OF THE POLICE DEPARTMENT OF SAID CITY PRIOR TO SEPTEMBER 19, 1939, AND TO WHOM IS APPLICABLE THE PENSION AND RELIEF SYSTEM PROVIDED BY ACT NO. 502 OF THE REGULAR SESSION OF THE LEGISLATURE OF 1923, AS REENACTED AND AMENDED; TO INCLUDE IN SAID SEPARATE SYSTEM DEPENDENTS OF SAID PRESENTLY ACTIVE EMPLOYEES: AND TO RENDER SAID ACT NO. 502 INAPPLICABLE TO SAID CERTAIN PRESENTLY ACTIVE EMPLOYEES AND THEIR DEPENDENTS."

**Be It Enacted by the Legislature of Alabama:**

Section 1. That Section 2 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, be amended to read as follows:

"Section 2. Definitions.—The following words, terms and phrases, wherever used in this act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

"The City": The City of Birmingham.

"The System": The retirement and relief system established by this act.

"In the service": In the service of the City as a member of its police department before, on or after the effective date of this act.

"Salary": Money remuneration for time in the service.

"Payroll period": A period of time for which a payment of salary is ordinarily made.

"Earnable daily rate": Monthly rate of salary for time in the service divided by thirty.

"Salary days": Such number of days of a payroll period as equals the actual amount of salary paid to or for, or to and for a member of the system for time in the service in such payroll period, divided by the daily earnable rate of such member for such payroll period.

"Paid membership time": The aggregate of salary days of a member of the system from the salary for which deduction is made pursuant to the provisions of this act for the treasury of the city. Three hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time.

"Prior service time": Time of a member of the system in the service prior to the effective date of this act, except time in the service prior to said effective date for which the member of the system may have received no service pay from the city.

"Creditable time": The creditable time of a member of the system shall include all his prior service time and all his paid membership time.

"Final average salary": The final average salary of any member of the system for purposes of this act shall be the total amount of his salary for such period of two and one half years of consecutive creditable time as may be most favorable to him, divided by thirty; provided, however, that if because of fault, misconduct or inefficiency upon his part a member of the system shall have been demoted more than two and one half years prior to date of his retirement or date of commencement of his disability, as the case may be, such most favorable period shall be subsequent to date of demotion; provided, further, that if a member of the system shall have been demoted for such cause within two and one half years of date of his retirement or date of commencement of his disability, as the case may be, his final average salary shall be the total amount of his salary for the two and one half years of his creditable time next preceding date of his retirement or date of commencement of his disability, as the case may be, divided by thirty; and provided, further, that a member of the system shall

be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deduction from salary under Section 3 of this act.

"Beneficiary": One in whose favor monetary benefits hereunder are accruing on account of retirement, widowhood, childhood or disability.

"Severance nominee": One designated as such under Section 9 of this act.

"The comptroller": The comptroller of the city, or if hereafter the employee of the city whose duties are those of treasurer or chief financial employee shall be known by some other title, then the employee having said duties.

"The board": The board of managers provided for by Section 15 of this act for the administration, management and control of the system."

Section 2. That Section 6 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, as heretofore amended, be and the same is hereby further amended to read as follows:

"Section 6. Retirement Allowances.—(a) And member of the system who shall be now or hereafter of the age of sixty or more years, and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any member of the system who, regardless of age, shall have now or hereafter accumulated twenty-five or more years of creditable time, shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance he should voluntarily retire, or be involuntarily retired from the service, he shall be entitled to a monthly retirement allowance from the treasury as hereinafter in this subsection (a) of this section specified. The monthly amount which shall be allowed any member of the system who shall be entitled to a retirement allowance under this subsection of this section shall be two percentum (2%) of his final average salary multiplied by such number of years of his creditable time as shall not exceed thirty years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty (60%) per cent of his final average salary. The amount of any retirement allowance under this subsection of this section shall commence to accrue at date of retirement. (b) Any member of the system who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated twenty (20) years of creditable time, shall be entitled to a monthly retirement allowance from the treasury equal to two per centum (2%) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed sixty (60%) per centum of his final average salary. Anything hereinabove to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntary retirement or dismissal of such person the personnel board or other agency governing tenure of service of employees of the city shall certify that such employee has not contributed by his own fault or misconduct to his separation. (c) The board may treat the end of the payroll period next before actual date of retirement of the member of the system as the date of his retirement for purposes of computation, and for such purposes may disregard a fraction of a year of creditable time less than one-fourth ( $\frac{1}{4}$ th). (d) Subject to the provisions of subsections (e) and (f) of this section, the amount of any retirement allowance

which may have commenced to accrue in accordance with the provisions of this act shall continue to accrue throughout the life of such person. (e) If, after any person shall have retired or been retired as hereinabove in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be re-employed in the service, he shall again become a member of the system under the terms of this act and shall again contribute to the treasury as in the case of any other member of the system, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employment in the service, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f) In the event of the death of any retired beneficiary in whose favor a monthly retirement allowance is accruing, or in the event of the death of any employee member entitled prior to his death to voluntarily retire and obtain a retirement allowance under subsection (a) of this Section 6, his spouse and child, or children, shall be entitled to a monthly allowance in the amount hereinafter specified in this subsection (f), subject to the conditions and limitations herein stated. No spouse shall receive any benefit under this subsection (f) unless such spouse was married to the deceased employee for at least five consecutive years while he was employed in the service of the city. No benefit shall be payable under this subsection (f) to a married child, or to a child over eighteen (18) years of age unless he is attending school, or to any child over twenty-one (21) years of age. A child shall be deemed to be attending school during his vacation between school terms, provided he attended school during the next preceding term and expects to return to school when the next term commences. The benefit payable under this subsection (f) shall be an amount equal to fifty per centum (50%) of the retirement allowance the deceased employee was receiving when he died, or fifty per centum (50%) of the monthly retirement allowance he would have been entitled to receive had he retired immediately before his death. Such benefit shall be payable to the deceased employee's spouse, or child or children, in the following order: (1) to the spouse; and (2) if there is no spouse eligible to receive the benefit, then to the child or children of the deceased employee, if any. If the spouse is ineligible to receive the benefit or having commenced to receive it becomes ineligible to continue receiving it, the benefit shall be paid to the child or children on the conditions prescribed. If two or more children are simultaneously entitled to receive the benefit, it shall be divided equally among the children so entitled. (g) If a member of the system be killed in the line of his duty his spouse, and child or children, shall be entitled to a monthly allowance in the amount and order herein specified in this subsection (g), subject to the conditions and limitations herein stated. All of the limitations and prohibitions prescribed in subsection (f), next above, in respect to the payment of a benefit to a spouse, or child or children, shall apply to the payment of such benefit to a spouse, or child under this subsection (g); provided, however, that the benefit provided for by this subsection (g) shall be payable without regard to the time during which the marriage between the deceased employee and such spouse existed. The benefit payable under this subsection (g) shall be payable to the classes named in the following order and in the following amounts: (1) To the employees spouse, forty per centum (40%) of the final average salary of such employee. In addition, the spouse shall receive a monthly allowance of ten per centum (10%) of such average salary for each child of such deceased employee; provided, however, that payment of any benefit to the spouse on account of any child, shall be subject to all restrictions above imposed with respect to



payment to a child; and provided, further, that the total amount of monthly allowance payable to the spouse for the spouse and for the children shall not exceed fifty per centum (50%) of the final average salary of the deceased employee. (2) If there is no eligible spouse, then there shall be paid to such deceased employee's child or children an amount equal to forty per centum (40%) of the deceased employee's final average salary. In such case the monthly allowance provided hereby for any child of such deceased employee shall be payable to the legal guardian of, or to the person who has custody of said child, for the use and benefit of said child provided, however, if such child may legally accept payment of such allowance, it shall be paid to him. (h) The amount of a surviving spouse's allowance, provided for in (f) and (g) above, shall commence to accrue at the death of the deceased spouse and shall continue to accrue until the surviving spouse's death or remarriage, whichever may first occur. (i) Anything hereinabove to the contrary notwithstanding, any employee member who shall have accumulated in excess of thirty (30) years of creditable time shall be entitled, in addition to the retirement allowance hereinabove provided, to an additional monthly amount equal to two percent (2%) of his final average salary multiplied by his number of years of creditable time in excess of thirty." (j) The rights of any person heretofore or hereafter retired from the service shall continue to be measured and governed by the terms of the system in effect at the time of such retirement, and should such person die during continuance of such retirement the rights of the spouse and dependents of such deceased retired person and the rights of the spouse and dependents of any other deceased person, shall be measured and governed by the terms of the system in effect at the time of the death of such deceased person and the foregoing provisions of this subsection (j) shall control over anything heretofore or hereafter in the system which may be construed to the contrary.

Section 3. That Section 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, as heretofore amended, be and the same is hereby further amended to read as follows:

"Section 7. Disability Allowances. (a) If any member of the system shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subsection (b) of this section shall not be applicable, then, in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled employee shall be entitled to a monthly allowance from the Treasury equal to two per centum (2%) of his final salary multiplied by the number of years of his creditable time, and the amount of such disability allowance to commence to accrue on the date on which the employee ceases to draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance under this subsection of this section shall be known as an "ordinary disability allowance." (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service, and occurring at a definite time and place, then in the event such total disability shall continue until the employee ceases to draw salary as an employee of the city, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to seventy per centum (70%) of that amount of his monthly salary from which deductions are being made hereunder at the time of the accident resulting in such total disability, the amount of such

total disability allowance to commence to accrue on the date on which the employee ceases to draw salary as an employee of the city and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an 'extraordinary disability allowance,' but no disability allowance shall be made by the board under this subdivision of this section after twelve months after the accident resulting in such disability, or if such accident occurred while the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance, and unless such resolution be passed within twelve months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability, and such total disability from such injury should thereafter cease, the board may in its discretion continue him on the disability roll until such time as in the judgment of the board he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. Hypertension, heart disease or respiratory disease shall not be considered as caused by accident so as to entitle an employee member to an extraordinary disability allowance, and no employee member or any person claiming under or by reason of relationship to an employee member shall be entitled to an extraordinary disability allowance as a result of disability caused by hypertension, heart disease or respiratory disease, any other law, general or local, to the contrary notwithstanding. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, should resume active duty within a time limit of twelve months after the accident resulting in total disability and for trial period or periods not exceeding an aggregate of one hundred eighty days within such time limit of twelve months after such accident, then such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists, or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions, or any amount payable under Section 11, his right to continuance of disability benefits shall immediately cease. (f) For the purpose of computing disability pay, an employee shall be deemed to earn or to have earned salary at the same rate of salary as that which he shall be deemed to earn or to have earned salary for the purpose of deduction from salary under Section 3. (g)

The board shall have authority to award an extraordinary disability allowance to any member brought under this act by amendment, event though the accident which caused such disability occurred prior to the effective date of such amendment under the provisions of this section as if such new member had been a member of the system at the time of such accident, and provided further that such accident shall not have occurred more than twelve months prior to the effective date of such amendment. (h) Anything herein to the contrary notwithstanding, a disability allowance based on disability commencing prior to September 1, 1971, shall be payable at the rate provided for by statute in effect at the time of the commencement of such disability.."

Section 4. The provisions of this Amendatory Act are severable. If any part of the Act is declared invalid, unconstitutional or improperly included therein, such declaration shall not affect the part or parts which remain.

Section 5. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA

JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared ELEANOR ABERCROMBIE FOSTER, who, by me duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA MESSENGER, (Formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of GENERAL CIRCULATION, PUBLISHED and PRINTED in Jefferson County, Alabama, and which has been in CONTINUOUS WEEKLY PUBLICATION SINCE 1918, And that there was published in said newspaper in the issues of July 10, 17, 24, 31, 1971, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,  
Publisher.

Sworn and subscribed to on this the 2nd day of August, 1971.

KAREN W. ABERCROMBIE,  
Notary Public.

Also:

By Messrs. Timmons, Wallace, Falkenburg, Gafford, McBride, Waggoner, Jones (E), Boles, Boutwell, Weeks, Ellis, Dill, Meeks, Doss and Erdreich:

H. 2212. To amend further Act No. 421, H. 932, Regular Session, 1957, (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the duties and salary of said assistant.

With notice and proof thereto attached and herewith exhibited as follows:

#### A BILL TO BE ENTITLED AN ACT

To amend further Act No. 421, H. 932, Regular Session, 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the duties and salary of said assistant.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 and Section 3 of Act No. 421, H. 932, Regular Session, 1957 (Acts 1957, p. 587), as amended, an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, are hereby further amended to read as follows:

"Section 1. The Sheriff of Jefferson County, Alabama is hereby authorized and empowered to appoint an assistant to the Sheriff for the Bessemer Division of said County who shall be a resident of the Bessemer Division of Jefferson County, Alabama, and said assistant to the Sheriff shall hold office for the same term as the Sheriff, the first term shall expire at the same time as the present Sheriff and whose duties shall consist primarily of enforcing the laws of the State of Alabama in Jefferson County, Alabama, and such other services or duties as may be required of him by the Sheriff. The office of Chief Deputy Sheriff in the Bessemer Division of Jefferson County, Alabama, is hereby abolished."

"Section 3. That said assistant to the Sheriff shall be paid an annual salary of Seventeen Thousand Five Hundred Dollars (\$17,500.00), to be paid out of the County Treasury as the salaries of other county employees are paid."

Section 2. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

#### AFFIDAVIT OF PUBLICATION

#### STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy, Who being duly sworn, says on oath that he is: EDITOR-PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for Four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: July 16, 23, 30, August 6, 1971 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,  
Editor-Publisher.

Subscribed and sworn to before me this the 6th day of August, 1971.

JOHN E. SMITH,  
Notary Public.

Also:

By Messrs. Doss, Adwell, McBride, Cherner, Falkenburg, Erdrieck, Boutwell, Timmons, Dill, Bowers, Wallace, Meeks, Gloor, Ellis and Weeks:

H. 2216. To empower Recorders Court in municipalities having now or hereafter having a population of 250,000 or more, according to the last or any subsequent federal census, to suspend sentences or grant probation under certain conditions.

Also:

By Messrs. Taylor and Straiton:

H. 1787. To create within any county in this state having a population of not less than 150,000, nor more than 180,000, according to the last or any subsequent federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority, and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations; to make it unlawful for any parent, guardian, or other person to aid, encourage or cause any child under eighteen years of age to become or remain dependent, neglected or delinquent, to provide for appeals from the judgments or orders of the Court, and to provide, when such orders shall be suspended pending appeal, for the administering of oaths and issuing of warrants; to provide for transfers from the Juvenile Court to other courts; and to provide for expenses for the Judge of said court when attending schools or seminars.

Also:

By Messrs. Timmons, Parker (H), McBride, Ellis and Wallace:

H. 1537. To further amend Act No. 556 of the Regular Session of the Legislature of Alabama of 1959, approved November 19, 1959 (Ala. Acts, 1959, p. 1376 et seq.) as heretofore amended, which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Ala. Acts, 1951, p. 1579 et seq.) as amended, which 1951 Act established a pension system for officers and employees of each city of the state having a population of 250,000 or more, according to the last or any subsequent federal census.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2039, 2040, 2212, 2216, and 1537. To the Committee on Local Legislation No. 2.

H. B. 1787. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Jones (F):

H. 2444. To repeal Act No. 1207, H. 1454, approved October 20, 1969, Regular Session 1969 (Acts 1969, p. 2248), entitled, "An Act To amend Act 258, approved September 7, 1964, to designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of

the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between September 7, 1964, and the date of the passage of this act."

Also:

By Mr. Jones (F):

H. 2445. To amend the title and Section 1 of Act No. 116, S. 195, Regular Session 1957 (Acts 1957, p. 164) which provides for the appointment of bailiffs for the circuit courts; and to regulate their compensation and provide for the payment thereof in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2446. To repeal Act No. 979, S. 396, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1557), entitled, "An Act to provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 150,000 and not exceeding 300,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken."

Also:

By Mr. Jones (F):

H. 2447. To amend the title and Section 1 of Act No. 204, H. 399, Special Session 1966 (Acts 1966, p. 203) which fixes expense allowances of probate judges in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2448. To amend the title and Section 1 of Act No. 52, S. 50, Special Session 1967 (Acts 1967, p. 89) which provides for an ambulance service either on a contract basis or by the establishment and operation of a non-profit service in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2449. To repeal Act No. 485, S. 618, approved August 19, 1969, Regular Session 1969 (Acts 1969, p. 947), entitled, "An Act To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective."

Also:

By Messrs. King, Lutz, Hearn, Grainger and Hale:

H. 2498. To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure.

Also:

By Messrs. Culver, Bank and Parker (T):

H. 1792. To apply only in counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census; making provisions for recording change of ownership of motor vehicles, and prescribing penalties.

Also:

By Messrs. Culver, Bank and Parker (T):

H. 1793. To repeal Act No. 930, H. 1380, Regular Session 1961 (Acts 1961, p. 1490), entitled, "An Act which creates the office of commissioner of licenses in counties having populations of not less than 100,000 nor more than 115,000, according to the last and any subsequent federal decennial census, which act provides for the appointment, powers, duties and authority of the commissioner and transfers certain duties of the probate judge, tax assessor and tax collector to the commissioner of licenses."

Also:

By Messrs. Culver, Bank and Parker (T):

H. 1794. To repeal Act No. 652, H. 877, Regular Session 1967 (Acts 1967, p. 1472), entitled, "An Act To apply only in counties having populations of 100,000 nor more than 115,000 according to the most recent federal decennial census; making provisions for recording change of ownership of motor vehicles and prescribing penalties."

Also:

By Messrs. Culver and Parker (T):

H. 1795. To create the office of commissioner of licenses in counties in Alabama having populations of not less than one hundred fifteen thousand (115,000) and not more than one hundred fifty thousand (150,000) according to the last and any subsequent decennial federal census; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2444, 2445, 2446, 2447, 2448, 2449, 2498, 1792, 1793, 1794, and 1795. To the Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Jones (F):

H. 2426. To amend the title and Section 1 of Act No. 50, H. 110, Special Session 1962 (Acts 1962, p. 69) which provides the procedure for initiating complaints under Act 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940 in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2427. To amend the title and Section 1 of Act No. 22, S. 15, 2nd Special Session 1963 (Acts 1963, p. 190) which provides additional compensation or salary for the Official Court Reporters in all Circuit Courts in certain counties classified on a population basis; and providing for the payment of said salary in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2428. To amend the title and Section 1 of Act No. 122, H. 117, Special Session 1969 (Acts 1969, p. 192) which provides additional compensation for the official court reporters in all circuit courts and provides for the payment thereof in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2429. To amend the title and Section 1 of Act No. 451, H. 995, Regular Session 1961 (Acts 1961, p. 492) which provides for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2430. To amend Section 12 of Act No. 412, S. 261, Regular Session 1945 (Acts 1945, p. 647) as last amended, which provides for the adoption, selection, purchase, and distribution of textbooks for the public schools of Alabama in certain counties classified on a population basis.



Also:

By Mr. Jones (F):

H. 2431. To amend the title and Section 1 of Act No. 429, H. 934, regular Session 1961 (Acts 1961, P. 466) which authorizes the Governing body of the county to employ an administrative assistant, provides for the qualifications of said person, prescribes his duties and fixes his compensation in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2432. To amend the title and Section 1 of Act No. 1019, S. 604, Regular Session 1961 (Acts 1961, p. 1598) which provides for the appointment, duties, qualifications, term, compensation and assistant of the coroner in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2433. To amend the title and Section 1 of Act No. 767, H. 1472, Regular Session 1961 (Acts 1961, p. 1107) which relates to the operation of boards of equalization in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2434. To amend the title and Section 1 of Act No. 146, H. 159, Special Session 1969 (Acts 1969, p. 210) which fixes an expense allowance of the County Commission in certain counties clasified on a population basis.

Also:

By Mr. Jones (F):

H. 2435. To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 180,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961 and October 20, 1969.

Also:

By Mr. Jones (F):

H. 2436. To amend the title and Section 1 of Act No. 203, H. 169, Special Session 1966 (Acts 1966, p. 230) which provides expense allowances for circuit court judges in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2437. To amend the title and Section 1 of Act No. 112, H. 165, Special Session 1966 (Acts 1966, p. 142) which provides that the county governing body in regulating and providing for the use of voting machines may divide any voting precinct into territories, designate each territory a voting center at which qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center, prescribe the duties of such election officers, and fix their compensation in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2438. To repeal Act No. 55, H. 155, approved September 30, 1965, 2nd Special Session 1965 (Acts 1965, p. 81), entitled "An Act to provide that the board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 160,000 nor more than 250,000 inhabitants according to the 1960 Federal Census or any subsequent regular decennial Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Seven Hundred and NO/100 (2,700.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Eighteen Hundred and NO/100 (1,800.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury."

Also:

By Mr. Jones (F):

H. 2439. To amend the title and Section 1 of Act No. 380, H. 939, Regular Session 1957 (Acts 1957, p. 508) as last amended which authorizes the county commission to pay pensions to certain former employees of the county in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2440. To amend the title and Section 1 of Act No. 183, S. 181, Special Session 1966 (Acts 1966, p. 216) which fixes supplemental salaries and expense allowances of District Attorneys; to provide such supplemental salaries and expense allowances shall be paid from the General Fund in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2441. To amend the title and Section 1 of Act No. 30, S. 103, Special Session 1966 (Acts 1966, p. 53) which provides for the method of acknowledging full or partial satisfaction of any recorded mortgage or other lien in the records of the office of the Judge of Probate in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2442. To repeal Act No. 258, H. 202, approved September 7, 1964, Special Session 1964 (Acts 1964, p. 356), entitled, "An Act To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act."

Also:

By Mr. Jones (F):

H. 2443. To repeal Act No. 516, H. 1025, approved August 22, 1961, Regular Session 1961 (Acts 1961, p. 617), entitled, "An Act To provide that in each county of the State of Alabama having not less than 150,000 nor more than 300,000 population according to the last or any subsequent federal census in equity suits the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in each such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such person to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provisions of this Act shall apply to future suits and pending suits in any such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict."

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Headley:

H. 2517. To amend the title and Section 1 of Act No. 711, H. 998, Regular Session 1967 (Acts 1967, p. 1549), which provides authority to regulate, collect, and dispose of trash on and along public roads and highways; license owners of containers to place same on right-of-ways and to set, levy and collect a privilege license tax on applicants for such licenses; with limitation on use of license as defense evidence in certain criminal actions in certain counties classified on a population basis.

Also:

By Mr. Headley:

H. 2518. To amend the title and Section 1 of Act No. 814, H. 1234, Regular Session 1961 (Acts 1961, p. 1190), as last amended, which provides an expense allowance to members of the county commission or like governing body in certain counties classified on a population basis.

Also:

By Mr. Headley:

H. 2519. To amend the title and Section 1 of Act No. 188, H. 243, First Special Session 1964 (Acts 1964, p. 253), which regulates the compensation of registrars and provides for payment of additional compensation in certain counties classified on a population basis.

Also:

By Mr. Headley:

H. 2520. To repeal Act No. 15, H. 11, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2615), entitled, "An Act Authorizing the county governing body of counties of not less than 25,600 population nor more than 25,700 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Walter Popwell to compensate for certain damages."

Also:

By Mr. Headley:

H. 2521. To repeal Act No. 582, H. 963, approved August 29, 1961, Regular Session 1961 (Acts 1961, p. 688), entitled, "An Act To provide for the appointment of an additional deputy and for the compensation of deputies of the sheriffs in all counties having populations of not less than 25,500 nor more than 25,700, according to the 1960 or any subsequent federal decennial census."

Also:

By Mr. Mathews:

H. 2524. To amend the title and Section 1 of Act No. 101, H. 219, Regular Session 1969 (Acts 1969, p. 383) which confers additional powers on the circuit clerk in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2525. To amend the title and Section 1 of Act No. 336, H. 292, Special Session 1966 (Acts 1966, p. 480) which prescribes the times when county offices may be closed in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2526. To amend the title and Section 1 of Act No. 366, H. 767, Regular Session 1961 (Acts 1961, p. 385) which authorizes the county commission to designate one or more state or national banks as the county depository in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2527. To amend the title and Section 1 of Act No. 327, S. 193, Special Session 1966 (Acts 1966, p. 461) which regulates the compensation of election officials in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2528. To amend the title and Section 1 of Act No. 69, H. 195, Regular Session 1967 (Acts 1967, p. 402) which authorizes the county board of education to fix expense allowances for members of the board in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2529. To amend the title and Section 1 of Act No. 362, H. 721, Regular Session 1963 (Acts 1963, p. 862) as amended which fixes the expense allowance of the county superintendent of education in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2530. To amend the title and Section 1 of Act No. 700, H. 750, Regular Session 1965 (Acts 1965, p. 1301), as last amended, which provides for the regulation of the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2531. To amend the title and Section 1 of Act No. 285, H. 249, Regular Session 1965 (Acts 1965, p. 399), which provides for the payment of the expenses of the county or deputy solicitors in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2532. To amend the title and Section 1 of Act No. 771, H. 1476, Regular Session 1961 (Acts 1961, p. 1110), which provides for the expenses of the county superintendent of education in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2533. To amend the title and Section 1 of Act No. 387, H. 887, Regular Session 1963 (Acts 1963, p. 889), which provides for the payment of the ex officio fees of the clerks of the circuit court in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2534. To amend the title and Section 1 of Act No. 830, H. 1091, Regular Session 1969 (Acts 1969, p. 1518), which provides for fixing the compensation of the county solicitor in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2535. To amend the title and Section 1 of Act No. 770, H. 1475, Regular Session 1961 (Acts 1961, p. 1109), which provides for a clerk-hire allowance for the office of clerk of the circuit court in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2536. To amend the title and Section 1 of Act No. 107, H. 182, Regular Session 1967 (Acts 1967, p. 139), which provides for insurance of county officers and employees, and their dependents in certain counties classified on a population basis, giving the Act retroactive effect.

Also:

By Mr. Mathews:

H. 2537. To amend the title and Section 1 of Act No. 57, H. 221, Regular Session 1969 (Acts 1969, p. 351), which provides for the regulation of the salary of the county superintendent of education in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2538. To amend the title and Section 1 of Act No. 286, H. 250, Regular Session 1965 (Acts 1965, p. 399), as last amended, which regulates the compensation of members of the County Board of Education in certain counties classified on a population basis.

Also:

By Mr. Mathews:

H. 2560. To amend the title and Section 1 of Act No. 364, H. 729, Regular Session 1963 (Acts 1963, p. 864), which provides for compensation of jurors in certain counties classified on a population basis.

Also:

By Messrs. Baker and Chesnut:

H. 2563. Relating to DeKalb County; to provide for juries composed of six members for trial of certain cases in the DeKalb County Court.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to DeKalb County; to provide for juries composed of six members for trial of certain cases in the DeKalb County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. The trial of all civil and criminal cases in the DeKalb County Court which according to law are triable by jury shall be tried by a jury composed of six members to be drawn, summoned, selected, and empaneled as provided in Code of Alabama 1940, Title 30, except that the list from which any six-man jury is to be struck may consist of a minimum of 12 jurors instead of the minimum number prescribed by Section 62 of said Title 30.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional the remainder of the Act shall not be affected but shall remain in full force and effect.

Section 4. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 22, July 29, August 5, and August 12, all in the year, 1971.

JERRY E. WHITTLE,  
General Manager.

Sworn to and subscribed before me on this the 16th day of Aug., 1971.

RANDALL COLE,  
Notary Public.

My Commission Expires: 8-9-73.

Also:

By Messrs. Baker and Chesnut:

H. 2564. To fix the salary for the County Solicitor (Deputy District Attorney) of DeKalb County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To fix the salary for the County Solicitor (Deputy District Attorney) of DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the County Solicitor (Deputy District Attorney) of DeKalb County is fixed at \$7200.00. The salary shall be paid in equal monthly installments out of the general funds of DeKalb County by the DeKalb County Commission or other governing body of said County.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 22, July 29, August 5, and August 12, all in the year, 1971.

JERRY E. WHITTLE,  
General Manager.

Sworn to and subscribed before me on this the 16th day of Aug., 1971.

RANDALL COLE,  
Notary Public.

My Commission Expires: 8-9-73.



Also:

By Messrs. Baker and Chesnut:

H. 2565. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE

Notice is hereby given that at this or the next regular or special session of legislature of the State of Alabama, a Bill, substantially as follows, will be introduced.

### A BILL TO BE ENTITLED AN ACT

Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Geraldine in DeKalb County are hereby altered, re-arranged and extended to include within the corporate limits of the Town of Geraldine the following described territory, in addition to that already within the incorporated limits, to-wit:

The South Half of the Southeast Fourth of Section 34, Township 7 South, Range 6 East. The Northwest Fourth of the Northeast Fourth of Section 3, Township 8 South, Range 6 East. The West Half of the Northeast Fourth of Section 10, Township 8 South, Range 6 East. The South Half of the Southwest Fourth of the Southeast Fourth of Section 10, Township 8 South, Range 6 East. The Southeast Fourth of the Northeast Fourth of Section 16, Township 8 South, Range 6 East. The South Half of the Northwest Fourth, the Southwest Fourth of the Northeast Fourth, the Northwest Fourth of the Northeast Fourth, all in Section 15, Township 8 South, Range 6 East in DeKalb County, Alabama.

Said area all lying in DeKalb County, Alabama.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issue of said paper on July 22, July 29, August 5, and August 12, all in the year, 1971.

JERRY E. WHITTLE,  
General Manager.

Sworn to and subscribed before me on this the 16th day of Aug., 1971.

RANDALL COLE,  
Notary Public.

My Commission Expires: 8-9-73.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2517, 2518, 2519, 2520, 2521, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2560, 2563, 2564, and 2565. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stubbs:

H. 2592. To amend the title and Section 1 of Act No. 263, H. 216, Regular Session 1961 (Acts 1961, p. 284) to regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent decennial census of the population of the United States.

Also:

By Mr. Stubbs:

H. 2593. To amend the title and Section 1 of Act No. 1223, H. 1495, Regular Session 1969 (Acts 1969, p. 2295, Vol. III) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the clerk and each member of the jury commission in such counties.

Also:

By Mr. Stubbs:

H. 2594. To amend the title and Section 2 of Act No. 262, H. 214, Regular Session 1961 (Acts 1961, p. 283) an act to provide further for the economic development of counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent federal decennial census, and the economic development of municipalities within such counties; providing for the creation of a development board in each county to which this Act applies; providing for the organization, powers, functions, duties, and personnel of such board; and providing for the payment of the expenses and for the compensation of the personnel of such board.

Also:

By Mr. Stubbs:

H. 2595. To repeal Act No. 264, H. 217, approved August 7, 1961, Regular Session 1961 (Acts 1961, p. 284), entitled, "An Act relating to counties having populations of not less than 32,000 nor more than 33,000 inhabitants according to the 1960 or any subsequent decennial census of the United States; Authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire."

Also:

By Mr. Stubbs:

H. 2596. To repeal Act No. 266, H. 219, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 285), entitled, "An Act relating to counties having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire."

Also:

By Mr. Stubbs:

H. 2597. To repeal Act No. 28, H. 54, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 39), entitled, "An Act to authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties."

Also:

By Mr. Stubbs:

H. 2598. To repeal Act No. 182, H. 228, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 250), entitled, "An Act to apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county."

Also:

By Mr. Stubbs:

H. 2599. To repeal Act No. 195, H. 255, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 259), entitled, "An Act relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff."

Also:

By Mr. Stubbs:

H. 2600. To repeal Act No. 133, H. 139, approved March 29, 1965, Special Session 1965 (Acts 1965, p. 185), entitled, "An Act relating to counties having populations of not less than 32,000 nor more than 33,000;

providing for the appointment of additional deputies sheriff whose compensation shall be paid by the county."

Also:

By Mr. Stubbs:

H. 2601. To repeal Act No. 101, H. 229, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 133), entitled, "An Act to apply only in counties having populations of not less than 31,500 nor more than 33,500; regulating the number and compensation of deputy sheriffs in such counties."

Also:

By Mr. Stubbs:

H. 2602. To repeal Act No. 112, H. 287, approved July 31, 1967, Regular Session 1967 (Acts 1967, p. 450), entitled, "An Act to apply only in counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing for the times of closing of county offices."

Also:

By Mr. Stubbs:

H. 2603. To repeal Act No. 398, H. 403, approved September 12, 1966, Special Session 1966 (Acts 1966, p. 536), entitled, "An Act relating to all counties having populations of not less than 31,500 nor more than 33,500 according to the most recent federal decennial census; further regulating the taking of fish from public streams and impounded waters; providing exceptions and authorizing the use of wire baskets in the taking of non-game fish."

Also:

By Mr. Stubbs:

H. 2604. To repeal Act No. 623, H. 1210, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1136), entitled, "An Act to apply only in counties having populations of not less than 32,000 nor more than 33,500; providing expense allowance for members of the county board of equalization payable from the general funds of the county; giving the act retroactive effect and repealing Act No. 215, Acts of Alabama 1964, page 297, First Special Session."

Also:

By Mr. Stubbs:

H. 2605. To repeal Act No. 265, H. 218, approved August 7, 1961, Regular Session 1961 (Acts 1961, Vol. I, p. 285), entitled "An Act to authorize the payment from the county treasury of an expense allowance to the coroner in counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent federal decennial census."

Also:

By Messrs. Falkenburg, Doss, Parker (H), Ellis, Boutwell, Dill and Weeks:

H. 1517. To authorize the governing body of any county in this state having a population of 500,000 or more, according to the last or any subsequent federal census, to cooperate and contract with persons,

public and private corporations, the United States, the State, counties, municipalities, and agencies, departments and instrumentalities of the United States or of the State or of a county or municipality, on a basis of mutual advantage, to provide sewer service for sewage delivered from outside of the territorial limits of such county; to prescribe the powers of such counties to enter into such contracts; to provide for the adoption of a resolution by the county governing body authorizing such contracts; to prescribe the terms and conditions of such contracts; to exempt such counties from certain tort liability; to provide for the severability of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605. To the Committee on Local Legislation No. 1.

H. B. 1517. To the Committee on Local Legislation No. 2.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cottingham and Turner:

H. 2489. Relating to Dallas County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act. No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act; and providing that the tax shall not become effective until an election on levying the tax has been held and a majority of the electors voting therein have approved the tax.

With notice and proof thereto attached and herewith exhibited as follows:

### A BILL TO BE ENTITLED AN ACT

Relating to Dallas County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act. No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act; and providing that the

tax shall not become effective until an election on levying the tax has been held and a majority of the electors voting therein have approved the tax.

Be It Enacted by the Legislature of Alabama:

Section 1. All words, terms, and phrases that are defined in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, the state sales tax act, and in Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended, shall, where used in this act, have the meanings respectively ascribed to them in said Act No. 100 and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as heretofore amended, except where the context herein clearly indicates a different meaning. In addition, the following words, terms, and phrases where used in this act shall have the following respective meanings except where the context clearly indicates a different meaning:

"State sales tax statutes" means Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100, heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said Act and the incidence and collection of the tax imposed therein;

"State sales tax" means the tax imposed by the state sales tax statutes;

"State use tax statutes" means Code of Alabama 1940, Title 51, Chapter 20, Article 11, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein.

"State use tax" means the tax imposed by the state use tax statutes;

"Registered seller" means the person registered with the State Department of Revenue pursuant to the state use tax statutes or licensed under the state sales tax statutes;

"Month" means the calendar month;

"Quarterly period" means the period of three months ending on the last day of each March, June, September, and December;

"Fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year.

Section 2. There are hereby levied and imposed in Dallas County, in addition to all other taxes of every kind now imposed by law, county privilege or license taxes to be determined by the application of rates against gross sales or gross receipts as the case may be, as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores) engaged or continuing within Dallas County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidence of debt or stocks), an amount equal to one percent of the gross proceeds of sales of the business.

Any person engaging or continuing in business as a retailer and whole-sale or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified when his books are kept, so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10¢) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10¢) per sale and shall file with the State Department of Revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the State Department of Revenue, the gross receipts tax herein provided for shall not be levied.

2. Upon every person, firm, or corporation engaged or continuing within Dallas County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Dallas County, an amount equal to one percent of the gross receipts of any such business.

3. Upon every person, firm, or corporation engaged or continuing within Dallas County in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to one fourth of one percent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer. Provided, that where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

4. Upon every person, firm, or corporation engaged or continuing within Dallas County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of personal property an amount equal to one-fourth of one per cent of the gross proceeds of the sale of such machines; provided, that the term "machines," as herein used, shall include machinery which is used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

5. There are exempted, however, from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds

of all sales which are presently exempted under the state sales tax statutes from the computation of the amount of the state sales tax.

6. An excise tax on the storage, use, or other consumption in Dallas County of tangible personal property purchased at retail, on or after the first day of the month next succeeding the month during which this act shall become a law, for storage, use or other consumption in Dallas County, at the rate of one percent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Dallas County or in this State, except as provided in subsections 7 and 8 of this section.

7. An excise tax on the storage, use or other consumption in Dallas County of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail on or after the first day of the month next succeeding the month during which this act becomes a law, for storage, use or other consumption in this State at the rate of one-fourth of one percent of the sales price of such automotive vehicle, truck trailer, semi-trailer, or house trailer. Where any used automotive vehicle or truck trailer, semi-trailer, or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

8. An excise tax is hereby imposed on the storage, use or other consumption in Dallas County of any machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property, purchased at retail on or after the effective date of this act, at the rate of one-fourth of one percent of the sales price of any such machine; provided, that the term "machine," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

9. There are exempted, however, from the provisions of this section and the tax imposed in this section the storage, use, or other consumption of property the storage, use, or other consumption of which is presently exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in Dallas County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid by such person as herein provided; provided, however, that a receipt from a registered seller given pursuant to Section 4 of this act to the purchaser of any property to be use, stored, or consumed in Dallas County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 3. The taxes levied in Section 2, subsections 1, 2, 3, and 4 of this act shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues; and the taxes levied in Section 2, subsections 7 and 8 of this act shall be due and payable quarterly on or before the twentieth day of the month next succeeding each quarterly period during which the storage, use, or other consumption of the tangible personal property became taxable hereunder, each such quarterly period to end on the last days of each of the months of March, June, September and December. All taxes levied in this act shall be paid to and collected by the State Department of Revenue at the same time and along



with the collections of the state sales tax and the state use tax. On or prior to the due dates of the taxes herein levied each person subject to such taxes shall file with the State Department of Revenue a report or return in such form as may be prescribed by the department, setting forth, with respect to all sales and business that are provided in Section 2, subsections 1, 2, 3 and 4 hereof to be used as a measurement of the tax levied in said Section 2, subsections 1, 2, 3 and 4, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in section 2, subsections 6, 7, and 8 hereof, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax imposed by said Section 2, subsections 6, 7, and 8, during the then preceding quarterly period; however, that said report shall include also such other items of information pertinent to the said taxes in the amount thereof as the State Department of Revenue may require. Any person subject to the taxes levied in Section 2, subsections 1, 2, 3 and 4, hereof, may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the State Department of Revenue under this section shall be available for inspection by the chairman of the Dallas County governing body, or his designated agent at reasonable times during business hours.

Section 4. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Dallas County (which storage, use, or other consumption is not herein exempted from the tax imposed in Section 2, subsections 6, 7, and 8 hereof), shall at the time of making such sale or if the storage, use, or other consumption of such tangible personal property in Dallas County is not then taxable under this act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax imposed by Section 2, subsections 1, 2, 3, and 4, of this act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the State Department of Revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 3 hereof, each registered seller shall file with the State Department of Revenue a return for the preceding quarterly period in such form as may be prescribed by the department showing the total sales of the tangible property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed by Section 2, subsections 6, 7, and 8, of this act during the then preceding quarterly period and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period followed by the return provided that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period and shall remit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Dallas County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property the storage, use or other consumption of which is subject to the tax imposed by Section 2, subsections 6, 7, and 8 of this act and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 3.

Section 5. Each person engaging or continuing within Dallas County in a business subject to the taxes levied in Section 2, subsections 1, 2, 3 and 4, of this act shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the tax-payer on account of said taxes levied in said Section 2, subsection 1, 2, 3, and 4; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required by Section 4 hereof to collect. It shall be unlawful for any person subject to the tax levied in said Section 2, subsections 1, 2, 3, and 4, to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed by Section 2, subsections 6, 7 and 8, of this act or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 6. The taxes imposed by this act shall constitute a debt due the Dallas County governing body and may be collected by civil suit, in addition to all other methods provided by law and in this act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All of the provisions of the revenue laws of this State which apply to the enforcement of liens for license taxes due this State shall apply fully to the collection of the taxes herein levied, and the State Department of Revenue, for the use and benefit of the Dallas County governing body shall collect such taxes and enforce this act and shall have and exercise for such collection and enforcement all rights and remedies that this State or the department has for collection of the state sales tax and the state use tax. The State Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this act, and to otherwise enforce the provisions of this act, including any litigation involving this act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for the Dallas County governing body.

Section 7. All provisions of the state sales tax statutes with respect to payment, assessment, and collection of the state sales tax, including discounts to licensees, making monthly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this act when applied to the tax levied in Section 2, subsections 1, 2, 3, and 4, hereof, shall apply to the tax levied in the said Section 2, subsections 1, 2, 3, and 4, and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect

to the state use tax and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this act when applied to the tax levied in Section 2, subsections 6, 7, and 8, hereof, shall apply to the tax levied in the said Section 2, subsections 6, 7, and 8. The State Commission of Revenue and the State Department of Revenue shall have and exercise all of the same powers, duties and obligations with respect to the taxes levied in Section 2, hereof that are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable in this act to the taxes herein levied and to the administration of this act are hereby incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 8. The State Department of Revenue shall charge the Dallas County the cost of making such collections governing body for collecting said special taxes herein levied by this act, which charge shall not exceed five percent of the amount collected. Such charge may be deducted once each month from the special sales and use taxes collected before certifying the amount of special taxes due the Dallas County governing body. The Commissioner of Revenue shall pay into the state treasury all taxes collected under this act, as such taxes are received by the Department of Revenue; and on or before the tenth day of each successive month (commencing with the month following the month in which the department makes the first collection hereunder, the commission shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of the Dallas County governing body during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of the Dallas County governing body during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the Dallas County governing body in an amount equal to the amount so certified by the Commissioner of Revenue as having been collected for the use of the Dallas County governing body and paid into the state treasury.

Section 9. Proceeds from the taxes herein levied may be used for the purpose of acquiring, constructing, improving, enlarging, renovating, replacing equipping, operating, maintaining and repairing public hospitals, public clinics, public health centers, ambulance service and related public health facilities in Dallas County, whether any such hospital, clinic, center, or facility is owned by the County or by a public corporation heretofore or hereafter organized or created pursuant to authorization or determination of the governing body of Dallas County, including the pledge of the taxes herein levied and the proceeds arising therefrom by the governing body of Dallas County to the payment of any bonds, warrants, or other obligations or evidences of indebtedness of the County which may hereafter be issued under authority of any law now existing or hereafter enacted, for any one or more of the aforesaid purposes. Any pledge of such taxes and the proceeds arising therefrom shall constitute a contract and this act shall not be repealed, altered or amended in such a way as to impair the obligation of such contract. Subject to any such pledge or pledges which shall be a prior lien and claim on said tax and the proceeds therefrom, any part of such proceeds not needed in the judgment of the governing body of the County for the aforesaid purposes may be expended for such purposes as in the judgment of the governing body are meet and proper.

Section 10. The provisions of Sections 1 through 9 of this Act shall become effective only after approval by a majority of the electors participating in a special election to be held in Dallas County, such election to be held according to the provisions of Section 11 of this Act.

Section 11. An election on whether or not the tax herein provided for shall be levied shall be called by the governing body of Dallas County within thirty (30) days after passage by the Legislature of Alabama and approval by the Governor. The date of such election shall be set on the fourth Tuesday following the date of the calling of such election and notice of such election shall be published in a newspaper of general circulation in the county for three consecutive times, on each Tuesday from the date of calling of the election to the Tuesday prior to the date of the election, and the advertisement shall set forth this Act in its entirety. Such election shall be held according to the general election laws of the State of Alabama, provided, however, that the county shall not be eligible for any refund of election expenses as provided to be made under Sections 427 through 432, Title 17, Code of Alabama 1940, as amended, if a majority of the registered voters participating in the election approve the tax herein provided to be levied, such tax may be levied effective on the first day or the fifteenth day of the next following month as may be determined by the Dallas County governing body.

Section 12. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains, provided, however, that if the provisions for holding the election specified herein are declared invalid or unconstitutional then the entire act shall be invalid or unconstitutional and no tax shall be levied under the provisions of this act.

Section 14. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Selma Times-Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 25, August 1, August 8, and August 15, all in the year 1971.

HENRY H. LLOYD.

Sworn to and subscribed before me 16th. Day of August, 1971.

JOSEPHINE K. TIPTON,  
Notary Public.

Also:

By Messrs. Agee and McCorquodale:

H. 2495. To provide further for purging the lists of registered voters in Washington County, requiring and prescribing the procedure

for reidentification of registered voters; placing certain duties on the board of registrars and the county governing body relative to the reidentification of registered voters; and providing penalties for making a willful false statement in connection with reidentification.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA

COUNTY OF WASHINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide further for purging the lists of registered voters in Washington County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars and the county governing body relative to the reidentification of registered voters; and providing penalties for making a willful false statement in connection with reidentification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Washington County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all persons who are deceased or nonresidents of the county, or have otherwise become disqualified from voting in Washington County, shall be removed from such lists, and that the name of each qualified elector shall appear only on the list of qualified electors for the beat in which he resides.

Section 2. The board of registrars shall omit and remove from the lists of qualified electors of the county the name of any person who fails to reidentify himself, in the manner prescribed herein, before the first day of January 1973.

Section 3. Prior to the first day of January 1973, the board of registrars of Washington County is hereby authorized, directed, and required to visit each beat in the county at least once, and more often if necessary, and remain there at least one day from nine o'clock in the morning until five o'clock in the afternoon, for the purpose of enabling qualified and registered voters residing in the beat to appear before the board and reidentify themselves. The board shall give at least ten days' notice, by advertisement in a newspaper published in the county, of the time when, and the place in the beat where, they will attend for the purpose of enabling voters to appear and reidentify themselves. Upon failure to give such notice, or to attend any appointment made by them in any beat, they shall, after like notice, fill new appointments. The board shall remain in session for thirty days. During the 30 day session the board shall visit each beat on at least one day and the remainder of the time may be divided as the board of registrars deem necessary, to enable the qualified electors of the county to appear and reidentify themselves in the manner prescribed herein.

Section 4. Each member of the board of registrars shall receive his regular per diem and any expenses or other daily compensation for each day's attendance upon the special sessions of the board required under the provisions of this Act; but if such special session is held on the

same day a regular session is required to be held under the law of this State, registrars shall receive only one per diem and expense allowance allowed for performing their regular duties, it being the intent and purpose of this Act that registrars shall be entitled to receive only one per diem or daily expense allowance for one day's service. If one or more of the members of the board shall refuse, neglect, or be unable to serve, or if a vacancy or vacancies occur in the membership of the board from any cause, the Governor, State Auditor, and Commissioner of Agriculture and Industries, or a majority of them, shall forthwith make other appointments to fill such vacancies.

Section 5. The voter may reidentify himself by appearing in person before the board of registrars and answering such questions and submitting such proof under oath, as the board may require in order to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county. Provided, however, that a member of the armed forces of the United States of America or his spouse may reidentify himself in person or by United States mail on application as provided by the board of registrars. In addition, a qualified elector may reidentify himself at any primary or general election held in the county after this Act becomes effective by filling out and signing the questionnaire form prescribed in Section 9 in the presence of any election officer appointed to serve at the election. The returning officer shall return all executed questionnaire forms to the chairman of the board of registrars.

Section 6. The board of registrars shall meet on the first Monday in January 1973, for the purpose of purging the registration lists and the names of all persons who have failed to appear and reidentify themselves by January 1, 1973, in the manner herein prescribed shall be stricken from the lists, provided, however, that said board shall not strike the name of any person, or of the spouse of any person, known by any member of said board, made known to the said board by written affidavit of another qualified elector, to be in active duty of any of the armed forces of the United States of America, and to be stationed, or to be living with her or his spouse, as the case may be, outside of Washington County, Alabama, during the period of time from the effective date hereof to January 1, 1973.

Section 7. Any person who shall have his name omitted or removed from the list of qualified electors in the county by failure to appear and reidentify himself as herein provided by January 1, 1973, may have his name restored to the list of qualified electors only by appearing before the board of registrars and registering in the manner provided by law.

Section 8. The court of county commissioners of Washington County is hereby authorized, directed and required to furnish the board of registrars with the supplies, equipment, maps, printed forms, stationery and newspaper advertisements necessary for the reidentification of voters as herein provided. Provided further that the sum of one hundred dollars (\$100) be paid to each member of the board of registrars for expenses in carrying out the provisions of this Act.

Section 9. The questionnaire to reidentify a voter shall be in substantially the following form:

VOTER REIDENTIFICATION  
QUESTIONNAIRE

Washington County, Alabama

Date \_\_\_\_\_, 19 \_\_\_\_\_

Name \_\_\_\_\_ Last \_\_\_\_\_ First \_\_\_\_\_ Middle \_\_\_\_\_

Legal Residence Address .....

Street ..... City or Town .....

State ..... Place of Birth .....

Date of Birth ..... Sex ..... Race .....

Occupation .....

Name of Employer .....

I now vote and I am a qualified elector in Precinct or Beat No. ...., Box No. ...., Washington County, and I have not been disqualified from voting in this county. I am not a qualified voter in any other county in the State of Alabama or in any other State in the United States.

I have resided in Precinct or Beat No. ...., Box No. ...., Washington County, for the past three months.

I declare under penalties of perjury that I have executed this questionnaire form to the best of my ability, and to the best of my knowledge and belief the information stated herein is true, correct and complete; also, that I have not been disqualified from voting under the laws of Alabama.

Signed ..... Signature of Voter

Sworn to and subscribed before me this ..... day of ....., 19 .....

Registrar—Judge of Probate .....

Section 10. Any person who willfully makes a false statement to the board of registrars, or any duly authorized person, in reidentifying himself as a qualified elector in the manner provided herein shall be guilty of perjury, and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher-editor of the Call-News Dispatch, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 15, July 22, July 29, and August 5, all in the year 1971.

DALTON JACKSON.

Sworn to and subscribed before me August 6, 1971.

ANNETTE R. BAXTER,  
Notary Public.

Also:

By Messrs. Manley and Pruitt:

H. 2499. Relating to Marengo County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the probate judge and the collection, appointment, and distribution of the proceeds of the tax; prescribing penalties for violations.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Marengo County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the probate judge and the collection, appointment, and distribution of the proceeds of the tax; prescribing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. In Marengo County every person, firm, corporation, co-partnership, club, association, agency, distributor, storer or user of any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one per cent or more of alcohol by volume) shall pay a privilege license or excise tax upon the sale, use or consumption, distributing, storing or withdrawing from storage in said county of any malt or brewed beverages, as herein defined. Such tax shall be in an amount equal to two cents on each twelve fluid ounces, or fractional part thereof, of malt or brewed beverages sold, used, consumed, distributed, stored or withdrawn from storage in Marengo County, which tax shall be in addition to any and all other taxes heretofore or hereafter levied on such beverages; provided, that where the amount of the tax levied under the provisions of this act shall have been paid to the county or to any municipality therein by any seller, distributor, dealer, storer or user, such payment shall be sufficient, the intent being that the tax levied by this act shall be paid but once.

Section 2. The privilege or license tax authorized herein shall be collected by or under the supervision and control of the probate judge of Marengo County who shall be solely responsible for the administration of this act. Said probate judge shall provide rules and regulations and administrative machinery for the enforcement and collection of the tax levied, and may provide for devices for affixing stamped impressions on lids and crowns to be used in evidence of payment of the tax, and provide proper forms requiring sufficient information and proof, to be verified by the oath of any seller, distributor, dealer, storer



or other user claiming exemption from payment of the tax on account of purchases made from others who have paid the tax imposed by this act. As his compensation for the performance of his duties in administering this act, the probate judge shall be entitled to two and one-half per cent ( $2\frac{1}{2}\%$ ) of all taxes collected under the provisions of this act.

Section 3. (a) Each and every distributor or seller of malt or brewed beverages shall, on or before the 15th day of the first full calendar month after the effective date of this act, and on or before the 15th day of each calendar month thereafter, file with the probate judge a written statement, sworn to and subscribed by each distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the producer, distributor, seller or other person from whom purchased, received or procured, the brand or brands of such malt or brewed beverages, the quantity of each brand, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured and a detailed, itemized statement showing the name and address of each distributor or seller or other person to whom any malt or brewed beverages were sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages sold, distributed or delivered to each, the size and kind of containers for each brand of such malt or brewed beverages and the date or dates on which sold, distributed or delivered.

(b) Any distributor or seller failing, refusing or omitting to file the statements herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense.

(c) In order to enable the probate judge to make distribution of the net proceeds of the tax as in this act prescribed, each distributor or seller must include in the statement separately the total sales made within the municipality and the police jurisdiction of each municipality, and the total sales made in the county but outside the police jurisdiction of any municipality. Should there be a continued failure to furnish the statement contemplated by this provision for basis of distribution, the probate judge is authorized and required to procure, from the records of the delinquent, such information as may be procurable therefrom to enable him to make proper distribution of the proceeds of the tax.

Section 4. It shall be unlawful for any distributor or seller to make any sale, distribution or delivery of malt or brewed beverages within the county without first having obtained a permit to do so from the probate judge and also obtaining a business license from each municipality in which sale, distribution or delivery is to be made; provided, however, that nothing contained in this section, or in any other part of this act, shall authorize any sale, distribution or delivery of malt or brewed beverages within the county, if such sale, distribution or delivery is prohibited by any other law of this state.

Section 5. (a) It shall be the duty of any person subject to the license tax imposed by this act to keep full and complete records of all purchases, sales, receipts, inventories and all other matters from which the correct amount of license tax to which such person is subject may be ascertained; in the event that such person should discontinue his business, he shall not destroy or dispose of such records until he shall have given to the probate judge thirty days' notice in writing of his intent to destroy or dispose of such records. The probate judge is authorized to inspect such records and to make copies of such parts of same as he may deem desirable or proper. The failure to keep such

records, or destruction without giving the prescribed notice, shall constitute a misdemeanor, punishable in accordance with law.

(b) Upon demand by the probate judge it shall be the duty of any person subject to the license tax imposed by this act to furnish, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination during reasonable business hours and at such person's place of business, all books of account, invoices, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories and any other information from which the correct amount of license tax to which such person is subject, may be determined, including herein the exhibition of bank deposit books and bank statements. Any person failing or refusing to submit such records for such inspection or examination upon lawful demand therefor shall be guilty of a misdemeanor, punishable according to law.

(c) Should any person subject to the provisions of this act not keep and have in his possession or control correct and detailed books of account, invoices, papers, reports or memoranda correctly showing the data and information necessary for the determination of the correct amount of the license tax due, and the required information as to sales in the several tax-recipient areas; or, if, having the same in possession or under control such person shall fail or refuse to submit and exhibit same for inspection and examination as herein required, then and in that event it shall be the duty of the probate judge to ascertain from such information and data as he may reasonably obtain the correct amount of license tax due from such person and to assess the same against such person and give to such person notice of such assessment and demand of him immediate payment of the amount thereof. If such amount be not paid within ten days after receipt of notice and demand for payment, then such failure to pay shall constitute a misdemeanor, and each day of delay in payment shall constitute a separate offense.

(d) The tax shall be paid by each distributor or seller when he makes his report as required in Section 3 or when he buys his decals or other devices from the probate judge, if the probate judge requires the distributor or seller to buy decals or other devices.

Section 6. (a) It shall be the duty of the probate judge to prepare such forms as may be necessary for use by sellers and distributors of malt or brewed beverages in complying with the provisions of this act, and to furnish the same to such distributors or sellers as they may be required.

(b) It shall be the duty of the probate judge to enforce the provisions of this act, and to that end he is authorized to enter lawfully any premises of any retailer of malt or brewed beverages at any time during the hours in which such retailer is engaged in the business of selling or serving malt or brewed beverages, and to inspect the containers of malt or brewed beverages in the retailer's possession, for the purpose of determining whether or not there be any containers not having affixed the decal or other device contemplated by this act. It shall be lawful also for any police officer or a deputy sheriff to enter lawfully any such retail establishment for the said purpose of inspection and determination of whether or not there be on hand any untaxed malt or brewed beverages.

Section 7. (a) Collection of the tax may be accomplished in this fashion:

The probate judge by requisition to and upon the governing body of Marengo County, may procure decals or other devices susceptible of being affixed, with measurable permanence, to containers of malt or brewed beverages to be taken from storage, distributed or sold, each of which decals or other devices shall bear in legible characters a notation that it evidences the payment of the tax levied by this act, and he may procure such forms and other printed matter and materials as may be necessary in the administration of this act. To reimburse Marengo County for the cost and expense incurred by it in procuring and furnishing to the probate judge the said decals or other devices and forms and other matter furnished by the county to the probate judge, the probate judge shall deduct, from the gross amount of taxes collected, at each tax-distribution period, the cost and expense incurred by the county in procuring and furnishing to the probate judge the decals or other devices contemplated by this act and the cost of forms and other materials hereinbefore provided for, and shall pay over the amount so deducted to the county. Decals or other devices may be furnished by the probate judge to each seller or distributor of malt or brewed beverages, upon his request therefor and payment of the amount of tax corresponding to the stated value of the decals or other devices that he procures from the probate judge, less a ten per cent (10%) discount; provided, however, that such decals or other devices shall be sold and furnished to wholesalers only. Each distributor or seller must affix to each container of malt or brewed beverages the appropriate decals or other devices before the same is taken from storage, sold or delivered.

(b) The amount distributed by the probate judge to the several recipients of the proceeds of the tax as provided in this act shall be, as to each recipient of the tax, that recipient's proportionate part of the net proceeds of the tax, such net proceeds to be the total amount of taxes collected less the cost of collection and expenses of administration of this act.

Section 8. After the payment of all costs of collection and enforcement of the tax levied herein, the net proceeds shall be apportioned and paid to the county and the municipalities therein on the basis of the situs where the malt or brewed beverage is sold and the revenue therefrom is produced. The net proceeds produced within the incorporated municipality and the police jurisdiction of any such municipality in the county shall be paid into the general fund of the municipality in which such revenue is produced, to be used for governmental purposes of the municipality; and the net proceeds produced in the county outside the police jurisdiction of any such municipality in the county shall be paid into the general fund of the county, to be used for governmental purposes of the county. Prior to the twentieth day of each month, the probate judge shall make a partial distribution of the net proceeds of the revenue collected in the next preceding month to the county and to each municipality therein, and shall make a final distribution at the end of each fiscal year. Each city or town receiving any funds under this act shall provide aid and assistance in enforcing the tax herein authorized within its territory.

Section 9. Any person, firm, or corporation who violates any provision of this act or the rules and regulations as may be provided by the probate judge of Marengo County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

Section 10. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed in the rules and regulations set out by the probate judge shall pay, in addition to the tax,

a penalty of ten per cent of the amount of tax, together with interest thereon at the rate of one-half of one per cent per month or fraction thereof, from the date at which the tax herein levied becomes payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 11. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this act are repealed.

Section 13. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Goodloe Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Democrat-Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

GOODLOE SUTTON.

Sworn to and subscribed before me August 17, 1971.

JEAN R. SUTTON,  
Notary Public, State at Large.

Also:

By Messrs Manley and Pruitt:

H. 2500. Legalizing the sale of draft or keg beer or malt beverages in Marengo County.

With notice and proof thereto attached and herewith exhibited as follows:

##### STATE OF ALABAMA COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Legalizing the sale of draft or keg beer or malt beverages in Marengo County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Alabama Alcoholic Beverage Control Board may in its discretion grant permits to licensed retailers to sell or dispense

draft or keg beer or malt beverages anywhere within Marengo County, the provisions of Code of Alabama 1940, Title 29, Section 34 to the contrary notwithstanding, and the board may revoke any such permit so granted it, in the judgment of the board, the sale of draft or keg beer or malt beverages in the community is prejudicial to the welfare, health, peace and safety of the people of the community or of the State.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Goodloe Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Democrat-Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

GOODLOE SUTTON.

Sworn to and subscribed before me August 17, 1971.

JEAN R. SUTTON,  
Notary Public, State at Large.

Also:

By Messrs. Manley and Pruitt:

H. 2501. Relating to Marengo County; to prohibit the consumption and sale or giving away of alcoholic beverages for the purpose of consumption on the premises of retail licensees located outside the police jurisdiction of any municipality, unless a license therefor has been issued by the Alcoholic Beverage Control Board; to authorize municipal governing bodies to prohibit on-premises consumption and sale or giving away for the purpose of consumption of alcoholic beverages, unless a license therefor has been issued by said Board; and prescribing penalties for violation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

Relating to Marengo County; to prohibit the consumption and sale or giving away of alcoholic beverages for the purpose of consumption

on the premises of retail licensees located outside the police jurisdiction of any municipality, unless a license therefor has been issued by the Alcoholic Beverage Control Board; to authorize municipal governing bodies to prohibit on-premises consumption and sale or giving away for the purpose of consumption of alcoholic beverages, unless a license therefor has been issued by said Board; and prescribing penalties for violation.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person to consume any alcoholic beverage on the premises of any retail licensee located outside the police jurisdiction of any municipality in Marengo County, unless such premises has been issued a restaurant, hotel or club liquor license by the Alcoholic Beverage Control Board. It shall further be unlawful for any such retail licensee to sell, give away, or otherwise dispense any alcoholic beverage for the purpose of consumption on the premises of said retail licensee, unless such premises has been issued a restaurant, hotel or club liquor license by said Board.

Section 2. The municipal governing body of any municipality in Marengo County is hereby authorized to prohibit the consumption of alcoholic beverages and the sale or giving away thereof for the purpose of consumption, on the premises of any retail licensee located within the police jurisdiction of such municipality, unless said premises have been issued a restaurant, hotel, or club liquor license by the Alcoholic Beverage Control Board.

Section 3. Any person who violates any provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective on the first day of the first month immediately after its passage and approval by the Governor or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Goodloe Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the *The Democrat-Reporter*, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

GOODLOE SUTTON.

Sworn to and subscribed before me August 17, 1971.

JEAN R. SUTTON,  
Notary Public, State at Large.

Also:

By Messrs. Wise and Jackson:

H. 2505. To repeal Act No. 732, H. 1263, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1340), entitled. "An Act relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964."

Also:

By Messrs. Wise and Jackson:

H. 2506. To amend the title and Section 1 of Act No. 646, S. 599, Regular Session 1965 (Acts 1965, p. 1167) which authorizes the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964 in certain counties classified on a population basis.

Also:

By Messrs. Robertson, Parker (T), Bank and Culver:

H. 2511. Relating to counties having a population of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census; to provide that the county governing body and the city governing body of the largest city in said county shall each pay Mr. Olen H. Stewart \$100 apiece as a result of damages sustained to his vehicle because of a manhole cover being left off a city-county project.

Also:

By Mr. Headley:

H. 2512. To amend the title and Section 1 of Act No. 139, H. 136, Special Session 1962 (Acts 1962, p. 181), which fixes additional compensation and allowance of certain election officers in certain counties classified on a population basis.

Also:

By Mr. Headley:

H. 2513. To amend the title and Section 1 of Act No. 187, H. 242, First Special Session 1964 (Acts 1964, p. 253), which regulates the pay of members of the county board of equalization, and provides for the payment of additional compensation from the county treasury in certain counties classified on a population basis.

Also:

By Mr. Headley:

H. 2514. To amend the title and Section 1 of Act No. 186, H. 241, First Special Session 1964 (Acts 1964, p. 252), which regulates the pay of jurors in certain counties classified on a population basis.

Also:

By Mr. Headley:

H. 2515. To amend the title and Section 1 of Act No. 185, H. 240, First Special Session 1964 (Acts 1964, p. 252), which regulates further the compensation of the coroner and provides for a salary payable by the county in lieu of fees and allowances in certain counties classified on a population basis.

Also:

By Mr. Headley:

H. 2516. To amend the title and Section 1 of Act No. 712, H. 1214, Regular Session 1965 (Acts 1965, p. 1317), which provides expense allowances for members of the county board of equalization payable from the general funds of the county, gives the act retroactive effect, and repeals Act No. 187, Acts of Alabama 1964, page 253, in certain counties classified on a population basis.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2489, 2495, 2499, 2500, 2501, 2505, 2506, 2511, 2512, 2513, 2514, 2515, and 2516. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Coshatt:

H. 2177. To abolish the Office of County Solicitor of St. Clair County, and to create in lieu thereof the office of Deputy District Attorney for St. Clair County and to provide for his duties, selection and compensation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To abolish the Office of County Solicitor of St. Clair County, and to create in lieu thereof the office of Deputy District Attorney for St. Clair County and to provide for his duties, selection and compensation.



Be It Enacted by the Legislature of Alabama:

Section 1: The office of County Solicitor of St. Clair County is abolished and there is hereby created in lieu thereof the office of Deputy District Attorney of St. Clair County.

Section 2: The Deputy District Attorney provided for herein shall be appointed and serve at the pleasure of the District Attorney of the Thirtieth Judicial Circuit, or such other Judicial Circuit as St. Clair County may hereafter be a part.

Section 3: The Deputy District Attorney shall be learned in the law and a qualified elector of St. Clair County, Alabama, and shall perform such duties and exercise such authority as may be prescribed by law pertaining to duties and authority of Deputy or County Solicitors, and by the District Attorney appointing same.

Section 4: The salary of the Deputy District Attorney shall be the sum of \$4,800.00 per annum, payable out of the General Fund of St. Clair County in equal monthly installments.

Section 5: The court of county commissioners, board of revenue, or like governing body of St. Clair County shall furnish the deputy district attorney of St. Clair County with adequate and suitable office space, and with such equipment and supplies, including office furniture, telephone, typewriter, stationery, and stamps, as are necessary for the proper and efficient discharge of the duties of his office.

Section 6: All laws in conflict with this Act are, to the extent of the conflict, repealed.

Section 7: This act shall take effect on the first Monday after the second Tuesday of January, 1973.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7/15, 7/22, 7/29, and 8/5, all in the year 1971.

E. R. BLAIR.

Sworn to and subscribed before me August 6, 1971.

ETHEL BLAIR,  
Notary Public.

Also:

By Messrs. Lutz, King, Grainger, Hale and Hearn:

H. 2575. Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

Also:

By Mr. McCorquodale:

H. 1982. To amend the title and Section 1 of Act No. 156, S. 145, Regular Session 1965 (Acts 1965, p. 226), which Act provides for the employment of a secretarial assistant by the County Solicitor in certain counties classified on a population basis.

Also:

By Mr. Lang:

H. 2088. Relating to Pickens County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine the number of deputies and their salaries.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Pickens County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine the number of deputies and their salaries.

**Be It Enacted by the Legislature of Alabama:**

Section 1. The sheriff of Pickens County is authorized to employ such number of deputies as the county governing body shall prescribe not to exceed four. Each deputy shall receive a salary to be fixed by the county governing body up to a maximum of \$450.00 per month. The salary of each deputy shall be paid from the general fund of the county in the same manner in which other employees of the county are paid.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

THE STATE OF ALABAMA

PICKENS COUNTY

Before me, Euteal V. Junkin, a Notary Public in and for said County, personally appeared Daisy G. Junkin, Publisher of The Pickens County Herald & West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for 4 consecutive weeks in said paper in issues dated as follows: July 1, 1971, July 8, 1971, July 15, 1971, July 22, 1971.

DAISY G. JUNKIN.

Subscribed and sworn to before me, this the 16th day of August, 1971.

EUTEAL V. JUNKIN,  
Notary Public.

Also:

By Mr. May:

H. 2362. Relating to all counties having populations of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census; providing an expense allowance for the circuit clerk of such counties.

Also:

By Messrs. Agee and McCorquodale:

H. 2398. To amend further Section 1 of Act No. 84, H. B. 115, Regular Session 1963 (Acts 1963, p. 464) as amended, which act provides further for clerk hire for the probate judge in certain counties classified on a population basis.

Also:

By Messrs. Agee and McCorquodale:

H. 2399. To amend further Section 1 of Act No. 190, H. 601, Regular Session 1963 (Acts 1963, p. 572), as amended, which Act provides further for the expense allowance for members of the governing body of certain counties classified on a population basis.

Also:

By Messrs. Benton and Kinsey:

H. 2451. Relating to the ownership of oil, gas, and other mineral rights in Baldwin County; providing for the recordation of all instruments creating the same, and prescribing certain limitations and restrictions respecting grants, conveyances, and ownership of such rights.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the ownership of oil, gas, and other mineral rights in Baldwin County; providing for the recordation of all instruments creating the same, and prescribing certain limitations and restrictions respecting grants, conveyances, and ownership of such rights.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only to Baldwin County.

Section 2. All instruments creating separate or special interests respecting the ownership of, or the right to extract, mine, or remove oil, gas, or other minerals from land, whether such interests be real or personal property, shall be recorded in the county in which the land is located, or the same shall be inoperative and void as against purchasers, mortgages, and judgement creditors without notice.

Section 3. In all grants, conveyances, and reservations of oil, gas, or mineral rights whether the same is made by deed, lease, or other contract if no provision is made as to when the oil, gas, or other minerals shall be extracted, mined, or removed, the owner or holder of such rights shall have ten years in which to make such extractions or removal. If the instrument specifies that the owner or holder of such rights shall have a reasonable time to extract, mine, or remove the oil, gas, or other minerals, ten years shall be deemed a reasonable time.

Section 4. The title to all oil, gas, or other minerals not extracted, mined, or removed from the land within ten years from the date of the deed, lease, or other instrument by which such rights were created, or at the expiration of the period agreed upon by the parties, shall revert to the owner of the land surface, unless it be otherwise provided in the deed, lease, or other instrument.

Section 5. Actual or constructive possession of the surface and the assessment and payment of taxes on land containing oil, gas, or other minerals, by the surface owner, or by those under whom he claims his title, constitutes such adverse possession of the minerals as will ripen into title when continued for five years if such rights are not exercised and separately assessed for taxation and the taxes due thereon paid by the owner or holder thereof during such period, unless the surface owner himself, or his predecessor in title, is bound by the terms of a deed, lease, or other contract to pay taxes on the mineral interest.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts which conflict with this Act are repealed.

Section 8. The provisions of Sections 1, 2, and 3 of this Act shall be applicable only to deeds, leases, or other instruments executed after the effective date hereof.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
BALDWIN COUNTY

John G. Cameron, being duly sworn, deposes and says that he is the EDITOR of THE ONLOOKER, a Weekly Newspaper published at Foley, Baldwin County, Alabama, that the notice hereto attached of, A Bill to be Entitled an Act; was published in said newspaper for 4 consecutive weeks in the following issues: Date of 1st publication July 22, 1971, Date of 2nd publication July 29, 1971, Date of 3rd publication Aug. 5, 1971, Date of 4th publication Aug. 12, 1971.

JOHN G. CAMERON,  
Editor.

Subscribed and sworn before the undersigned this 12th day of Aug. 1971.

SAMUEL K. SMITH,  
Notary Public, Baldwin County.

Also:

By Messrs. Benton and Kinsey:

H. 2452. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Baldwin County and municipalities therein to levy and collect additional property taxes for public library purposes, providing for the rate of the tax and the manner in which elections under this amendment shall be called.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL  
TO BE ENTITLED  
AN ACT

To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Baldwin County and municipalities therein to levy and collect additional property taxes for public library purposes, providing for the rate of the tax and the manner in which elections under this amendment shall be called.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed:

PROPOSED AMENDMENT

A. In addition to all taxes now or hereafter authorized by the Constitution of Alabama, including Amendment CCLXIX, Baldwin County or any incorporated municipality within such county which supports, jointly supports, or proposes to support a public library is hereby authorized to levy and collect a special tax of not more than forty-five cents on each one hundred dollars worth of taxable property within such county or municipality as assessed for state taxation. The proceeds of all such taxes shall be used exclusively for public library purposes; provided, that the levy of such tax, the rate of such tax and the purpose thereof shall have been first submitted to the vote of the qualified electors of the county or municipality and voted for by a majority of those voting at such election.

B. Upon petition signed by four hundred or more qualified electors of Baldwin County to the Baldwin County Commission or like governing body, or upon a petition signed by two hundred or more qualified electors of any municipality in such county to the governing body of such municipality, the county commission or the governing body of the municipality shall order an election to be held to determine whether a special tax shall be levied at the rate specified by the governing body of such county or municipality for public library purposes.

C. Elections under this amendment relative to additional county taxes for county public library purposes shall be held at the same time any other general or special election is held in which the voters of the entire county are qualified to vote, and elections under this amendment relative to municipal taxes for municipal library purposes shall be held at the same time any other municipal election is held.

D. If authorized by the vote of the majority of the qualified electors voting in any such election called for the purpose, the county or city governing body, as the case may be, shall levy and collect, in addition to all other taxes authorized by law, a special annual ad valorem tax at the rate prescribed and approved by the electors voting in the

election. If the majority vote at any election held hereunder is not in favor of the levy of the tax, or if at any such election the special tax shall be voted at a rate of less than forty-five cents on each one hundred dollars worth of taxable property, then the governing body of the county or city, as the case may be, may from time to time thereafter call other elections hereunder on the levy of the special tax or on the increase of the rate thereof, up to but not exceeding a total amount of forty-five cents on each one hundred dollars of taxable property, and must call any such election at the next general or special county-wide election or next municipal election, as the case may be, next following the receipt of a petition in the manner and form herein prescribed. Provided, however, that not more than one election upon the levy or upon the increase of the rate of the special tax shall be held during any period of twelve consecutive months. After the special tax shall have been levied for a period of three years, the governing body of the county or city, as the case may be, upon its own original action may from time to time thereafter call other elections hereunder on the question of the discontinuance of the tax or a reduction on the rate thereof, upon the payment in full of all obligations then outstanding, if any, and when a reduced rate will provide sufficient revenue for the purposes for which the tax was levied. If the majority of electors participating in the election vote in favor of the discontinuance or reduction in the rate of the tax, as the case may be, such discontinuance or reduction shall become effective for the tax year next succeeding the tax year in which such election is held. Provided that not more than one election for the discontinuance or reduction in the rate of the special tax shall be held during any period of twelve consecutive months. All such elections shall be called, held and conducted in the same manner as are elections proposing the special tax.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1 Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

#### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
BALDWIN COUNTY

John G. Cameron, being duly sworn, deposes and says that he is the EDITOR of THE ONLOOKER, a Weekly Newspaper published at Foley, Baldwin County, Alabama, that the notice hereto attached of, A Bill to be Entitled an Act; was published in said newspaper for 4 consecutive weeks in the following issues: Date of 1st publication July 22, 1971, Date of 2nd publication July 29, 1971, Date of 3rd publication Aug. 5, 1971, Date of 4th publication Aug. 12, 1971.

JOHN G. CAMERON,  
Editor.

Subscribed and sworn before the undersigned this 12th day of Aug. 1971.

SAMUEL K. SMITH,  
Notary Public, Baldwin County.

Also:

By Messrs. Benton and Kinsey:

H. 2454. Relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; to provide that any person willfully retaining any property on loan from a public library or other educational institution or having lost the same, fails to tender the replacement value thereof, shall after thirty days notice be guilty of a misdemeanor.

Also:

By Messrs. Kinsey and Benton:

H. 2456. Relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the probate judge of any such county to make official visits to the precincts within his county and providing for payment of certain expenses incurred in such visits.

Also:

By Messrs. Jackson and Wise:

H. 2459. Relating to counties having populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Also:

By Messrs. McCorquodale and Agee:

H. 2469. To provide for the qualifications and manner of election of members of the Clarke County Commission, the governing body of Clarke County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the current session of the Legislature of Alabama, affecting Clarke County, Alabama, which shall be substantially as follows:

#### A BILL TO BE ENTITLED AN ACT

To Provide for the Qualifications and Manner of Election of Members of the Clark County Commission, the Governing Body of Clarke County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Members of the Clark County Commission, the governing body of Clarke County, Alabama, shall be elected by the qualified electors of the county at large, but no person shall be eligible as a candidate for member of the Clarke County Commission unless he is a bona fide resident of the district he seeks to represent. Each member of the Clark County Commission must reside in the district he represents during his continuance in office.

Section 2. All laws or parts of laws, general, local or special, in conflict herewith are hereby repealed.

Section 3. This action shall become effective upon the expiration of the term of the incumbent members of the Clarke County Commission, and shall govern the selection of their successors.

#### CERTIFIED STATEMENT

I hereby certify that the attached notice has been published in the Clarke County Democrat in its issues of June 3, 10, 17, and 24, 1971.

G. A. CARLETON,  
Publisher.

Sworn to and subscribed to before me this 14th day of July, 1971.

NELL A. CHAPMAN,  
Notary Public, Clarke County, Ala.

Also:

By Messrs. McCorquodale and Agee:

H. 2470. To further amend Sections 2 and 3 of Act No. 819, approved September 11, 1951 (Acts 1951, Volume II, page 1452), entitled "An act to impose extra, new and additional duties upon the members of the county governing body of Clarke County, Alabama, and to provide additional compensation for the performance of such duties," as amended by Act No. 120, approved July 7, 1965 (Acts 1965), Volume 1, pages 183-4), and as further amended by Act No. 99, approved May 14, 1969 (Acts 1969, page 177), to provide further for the salaries and expense allowances of members of such governing body.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that a bill will be introduced in the current session of the Legislature of Alabama, affecting Clarke County, Alabama, which shall be substantially as follows:

#### A BILL TO BE ENTITLED AN ACT

To further amend Sections 2 and 3 of Act No. 819, approved September 11, 1951 (Acts 1951, Volume II, page 1452), entitled "An act to impose extra, new and additional duties upon the members of the county governing body of Clarke County, Alabama, and to provide additional compensation for the performance of such duties," as amended by Act No. 120, approved July 7, 1965 (Acts 1965), Volume 1, pages 183-4), and as further amended by Act No. 99, approved May 14, 1969 (Acts 1969, page 177), to provide further for the salaries and expense allowances of members of such governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 2 and 3 of Act No. 819 approved September 11, 1951 (Acts 1959, Volume II, page 1452) as amended by Act No. 120, approved July 7, 1965 (Acts 1965, Volume 1, pages 183-4), and as further amended by Act No. 99, approved May 14, 1969 (Acts 1969, Volume 1, page 177), are hereby amended to read as follows:



"Section 2. For the performance of all other duties now imposed upon them by law and the performance of the extra, new, and additional duties hereby imposed upon them, the members of the County Governing Body of Clarke County shall each receive an annual salary of Eight Thousand Four Hundred (\$8,400.00) Dollars, payable in equal monthly installments out of the general fund of the county. For the express purpose of superintending the construction and maintenance of all public roads and bridges in his district, as prescribed in Section 1 (b) of this Act, any member of such County Governing Body shall be allowed the use of any available county pick-up truck, which may be furnished and operated at county expense.

"Section 3. Each member of the County Governing Body of Clarke County shall be entitled to reimbursement by the county for expenses incurred by him in attending annual conventions of the National Association of County Commissioners and the Alabama Association of County Commissioners; and in addition thereto, if any member of the County Governing Body of Clarke County be required to travel outside the county in the performance of his duties as such member, he may be reimbursed by the county for actual expenses actually incurred in such travel if and when approved for payment by the Governing Body of Clarke County upon presentation by such member of an itemized statement of expenses incurred."

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This act shall become effective upon expiration of the terms of office of the present members of the Governing Body of Clarke County, and shall be applicable to their successors.

#### CERTIFIED STATEMENT

I hereby certify that the attached notice has been published in the Clarke County Democrat in its issues of June 10, 17, 24 and July 1, 1971.

G. A. CARLETON,  
Publisher.

Sworn to and subscribed to before me this 14th day of July, 1971.

NELL A. CHAPMAN,  
Notary Public, Clarke County, Ala.

Also:

By Messrs. Cottingham and Turner:

H. 2488. To apply only in counties having populations of not less than 54,500 nor more than 56,000; to provide further for the distribution of fines and forfeitures in certain cases.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2177, 2575, 1982, 2088, 2362, 2398, 2399, 2451, 2452, 2454, 2456, 2459, 2469, 2470, and 2488. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 2452, was read at length as required by the Constitution.)

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Baker and Chesnut:

H. 2566. To alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Fyffe, DeKalb County, Alabama, be, and the same are hereby altered or re-arranged so as to include within the corporate limits of said town all territory lying within the following described lands, to-wit:

South half and Northwest fourth and Northwest fourth of Northeast fourth of Section 10; and

Southeast fourth of Southwest fourth and Northwest fourth and Northwest fourth of Northeast fourth of Section 3; and

Northeast fourth of Northeast fourth of Section 15; and

West half of Northwest fourth and Southeast fourth of Northwest fourth and South half of Northeast fourth and North half of Southeast fourth of Section 14; and

All of Section four; and

East half of Southeast fourth and Northwest fourth of Northwest fourth of Section 9; and

East half of Northeast fourth and North half of Southeast fourth of Section 5; and

East half of Northeast fourth and southwest fourth of Northeast fourth and Southeast fourth of Northwest fourth and East half of Southeast fourth and Southwest fourth of Southeast fourth of Section 8; and

West half of Northeast fourth and Southeast fourth of Northwest fourth and North half of Southwest fourth of Section 17; and

South half of Southeast fourth of Section 18; and

Northeast fourth of Northwest fourth of Section 19,

All in Township 7, South of Range 7 East, Also,

East half of Southeast fourth of Section 33; and

Southwest fourth of Section 29; and

East half of Northwest fourth and Southwest fourth of Northeast fourth and Northeast fourth of Southwest fourth and Northwest fourth of Southeast fourth and South half of Southwest fourth and South half of Southeast fourth of Section 32; and

Northeast fourth of Southeast fourth of Section 30,

All in Township 6, South of Range 7 East.

Section 2. The outside boundaries of the territory described in Section 1 of this Act along with the outside boundaries of the existing corporate limits of the Town of Fyffe, Alabama, where not extended by the land added in Section 1, and all the territory included and embraced within said boundaries within the boundaries of the existing town limits of the Town of Fyffe shall hereafter be and constitute the Town of Fyffe.

Section 3. That all laws and parts of laws, both general and special and local and conflict with this Act be, and the same are hereby repealed.

Section 4. That this Act shall go into effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF DeKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 20, July 27, August 3, and August 10, all in the year, 1971.

JERRY E. WHITTLE,  
General Manager.

Sworn to and subscribed before me on this the 10th day of August, 1971.

RANDALL COLE,  
Notary Public.

My Commission Expires: 8-9-73.

Also:

By Mr. Stubbs:

H. 2579. To authorize the Shelby County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the Shelby County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Shelby County is authorized, when the need exists, to provide protection against forest fires in Shelby County by participating in the State Department of Conservation's fire protection program in the manner hereinafter specified.

Section 2. (a) After the Shelby County Governing body has determined that such a need does exist in Shelby County, the county governing body may, in the manner hereinafter specified, provide for a financial charge or tax to be paid by the owners of forest lands located in Shelby County for the use of the land for timber growing purposes amounting to the whole or any part of the cost of such fire protection program, but not in excess of five cents per acre, provided such financial charge or tax is not greater than the benefit accruing to such forest lands due to the availability of such fire protection.

(b) "Forest lands" as used in this Act, shall mean any land which supports a forest growth, or which under prevailing natural and economic conditions may be expected to support such a growth in the future, or which is being used or reserved for any forest purpose. "Forest lands" as used in this Act, shall not include any lands primarily used for residential purposes nor shall it include any publicly owned lands.

Section 3. The need for such a financial charge or tax protection within the county shall be determined by the county governing body after a public hearing is held thereon. Notice of such public hearing shall be given by the county governing body for a period of two consecutive weeks by advertisement in a newspaper of general circulation in Shelby County. Such advertisement must indicate the date, time, and place of the hearing; the manner proposed to finance such fire protection program, and the part of the cost of such program that is proposed to be paid by the owners of forest lands. Any person owning forest land in Shelby County may appear in person or by attorney at such time and place and made defense against such financial charge or tax or the amount thereof. After such hearing the county governing body shall determine the amount of such financial charge or tax and enter on the minutes of the governing body an order fixing such financial charge or tax.

Section 4. Any such financial charge or tax fixed as provided in the above section shall be payable at the same time and in the same manner as county taxes and the owners of the forest lands, as herein defined, shall make report of same to the tax assessor of Shelby County at the time fixed by law for making return of the property of such property owner. Financial charges or taxes levied shall constitute a lien on the property against which they are charged or taxed in

case of default in the payment of such financial charge or tax the land may be sold in the same manner and under the same conditions that lands are sold for the satisfaction of liens for county ad valorem taxes and redemption from such sale may be effected in the same manner as is provided by law for redemption where land is sold for non-payment of ad valorem taxes.

Section 5. The county governing body of Shelby County is authorized to appoint agents and delegate authority to individuals to search out forest lands in Shelby County, determine the area and owners thereof, and report same to the Tax Assessor of Shelby County who shall be authorized, after notice by certified mail to such owners, and hearing before the county governing body if so requested by such owners, to place said financial charge of tax against said forest lands as may be determined by the report of such agents or the determination of said county governing body.

Section 6. All monies accruing to Shelby County shall be placed in the General Fund of the county and shall only be spent by the county governing body in participating in the State Department of Conservation's forest fire protection program in Shelby County.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### THE STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: July 29, 1971, Aug. 5, 12, 19, 1971.

MILDRED WALLACE,  
Associate Editor.

Subscribed and sworn to before me this 20th day of Aug., 1971.

CONRAD M. FOWLER,  
Judge of Probate.

Also:

By Mr. Stubbs:

H. 2582. Relating to Shelby County; and to become effective if and when the sale of alcoholic beverages has become lawful in Shelby County; levying a privilege license or excise tax upon sellers, distributors, wholesalers, or users of malt or brewed beverages, or spirituous liquors, within Shelby County where said sale of malt or brewed or spirituous liquors is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; providing penalties for violations.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Shelby County; and to become effective if and when the sale of alcoholic beverages has become lawful in Shelby County; levying a privilege license or excise tax upon sellers, distributors, wholesalers, or users of malt or brewed beverages, or spirituous liquors, within Shelby County where said sale of malt or brewed or spirituous liquors, within Shelby County where said sale of malt or brewed or spirituous liquors is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; providing penalties for violations;

Be It Enacted by the Legislature of Alabama:

Section 1. A privilege license or excise tax is hereby imposed upon every seller, distributor, storer or user of any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) in Shelby County. The tax shall be an amount equal to 1 cent on each 4 fluid ounces or fractional part thereof of malt or brewed beverages sold, used consumed or distributed in Shelby County. The tax shall be in addition to all other taxes heretofore or hereafter levied on such beverages; provided, that where the amount of the tax imposed by this act shall have been paid to the county by any seller, distributor, dealer, or user, such payment shall be sufficient, the intent being that the tax levied by this act shall be paid but once.

Section 2. In addition to all other taxes and licenses now imposed by law, there is hereby levied a license tax of ten cents (\$.10) on each miniature and twenty-five cents (\$.25) on each  $\frac{1}{2}$  pint of spirituous liquor sold or distributed within Shelby County.

Section 3. The privilege or license taxes authorized herein shall be collected by or under the supervision and control of the county governing body who shall be solely responsible for the administration of this act. Said body is hereby empowered to adopt such rules and regulations and administrative machinery for the enforcement and collection of the taxes levied by this act as said body shall determine necessary and said governing body shall have the authority to provide for devices for affixing stamped impressions or stamps on lids and crowns or containers to be used as evidence of payment of the taxes levied by this act and to provide proper forms requiring sufficient information and proof to be verified by the oath of any seller, distributor, dealer or other user claiming exemptions from payment of the taxes on account of purchases made from others who have paid the taxes imposed by this act. The county governing body shall be authorized to employ such personnel and inspectors to assist in the administration and enforcement of this act as it may deem necessary. It shall be the duty of the Sheriff and other duly constituted law officers of Shelby County to enforce the provisions of this act and nothing herein shall be interpreted as relieving them of such duty.

Section 4. Each and every distributor or seller of malt or brewed beverages or spirituous liquor shall, on or before the 15th day of the first full calendar month after the effective date of this act, and on or before the 15th day of each calendar month thereafter, file with the county governing body a written statement sworn to and subscribed by each distributor or seller, showing the name and address of such distributor or seller each and every purchase, receipt or procurement of malt or brewed beverages or spirituous lieur made by such dis-

tributor or seller during the calendar month next preceding, together with the name and address of the producer, distributor, seller or other person from whom purchased, received or procured, the brand or brands of such malt or brewed beverages, the quantity of each brand, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured, and detailed, itemized statement showing the name and address of each distributor or seller or other person to whom any malt or brewed beverages or spirituous liquor were sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages or spirituous liquor sold, distributed or delivered to each, the size and kind of containers for each brand of such malt or brewed beverages or spirituous liquors and the date or dates on which sold, distributed or delivered.

(b) Any distributor or seller failing, refusing or omitting to file the statements herein prescribed shall be guilty of a misdemeanor, and shall be punished as provided by law, and each day such default continues shall constitute a separate offense.

Section 5. It shall be unlawful for any malt or brewed beverages or spirituous liquors to be sold for consumption on the premises where sold outside the municipal limits of any of the towns or cities within Shelby County except in private non-profit clubs licensed by the County Commission; and hotels, motels, and restaurants licensed by the County Commission; and such sales then shall be in conformance with regulations adopted by the Shelby County Commission. Violation hereof shall constitute a misdemeanor and shall be punished by law and in addition thereto the County Commission shall declare the license of such violator to be forfeited.

Section 6. It shall be unlawful for any distributor or seller to make any sale, distribution or delivery of malt or brewed beverages or spirituous liquors within the county without first having obtained a permit to do so from the county governing body and also obtaining a business license from each municipality in which sale, distribution or delivery is to be made; provided, however, that nothing contained in this section, or in any other part of this act, shall authorize any sale, distribution or delivery of malt or brewed beverages or spirituous liquor within the county, if such sale, distribution or delivery is prohibited by any other law of this State.

Section 7. (a) It shall be the duty of any person subject to the license tax imposed by this act to keep full and complete records of all purchases, sales, receipts, inventories and all other matters from which the correct amount of license tax to which such person is subject may be ascertained; in the event that such person should discontinue his business, he shall not destroy or dispose of such records until he shall have given to the county governing body thirty days' notice in writing of his intent to destroy or dispose of such records. The county governing body or its duly authorized agent is authorized to inspect such records and to make copies of such parts of same as he may deem desirable or proper. The failure to keep such records, or destruction without giving the prescribed notice, shall constitute a misdemeanor, punishable in accordance with law.

(b) Upon demand by the county governing body or its authorized deputy or agent, auditor or representative, it shall be the duty of any person subject to the license tax imposed by this act, to furnish, without delay, all such information as may be required for determination of

the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination during reasonable business hours and at such person's place of business, all books of account, invoices, papers, reports, sales, receipts, inventories and any other information from which the correct amount of license tax to which such person is subject, may be determined, including herein the exhibition of bank deposit books and bank statements. Any person failing or refusing to submit such records for such inspection or examination upon lawful demand therefor shall be guilty of a misdemeanor, punishable according to law.

(c) Should any person subject to the provision of this act not keep and have in his possession or control correct and detailed books of account, invoices, papers, reports or memoranda correctly showing the data and information necessary for the determination of the correct amount of the license tax due, and the required information as to sales in the several tax areas; or, if, having the same in possession or under control such person shall fail or refuse to submit and exhibit same for inspection and examination as herein required, then and in that event it shall be the duty of the county governing body to ascertain from such information and data as it may reasonably obtain the correct amount of license tax due from such person and to assess the same against such person and give to such person notice of such assessment and demand of him immediate payment of the amount thereof. If such amount be not paid within ten days after receipt of notice and demand for payment, then such failure to pay shall constitute a misdemeanor, and shall be punished as provided, and each day of delay in payment shall constitute a separate offense.

(d) The tax shall be paid by each distributor or seller when he makes his report as required by Section 3 or if the county governing body enacts regulations requiring decals or other devices then said tax shall be paid by the purchase of said decals or other devices.

Section 8. (a) It shall be the duty of the county governing body to prepare such forms as may be necessary for use by sellers and distributors of malt or brewed beverages or spirituous liquors in complying with the provisions of this act, and to furnish the same to such distributors or sellers as they may be required.

(b) It shall be the duty of the county governing body to enforce the provisions of this act and to that end its duly appointed agent or the Sheriff or a deputy Sheriff or any other legally constituted officer of the county is hereby authorized to enter any premises of any retailer of malt or brewed beverages at any time during the hours in which such retailer is engaged in the business of selling or serving malt or brewed beverages or spirituous liquors and to inspect the containers of malt and brewed beverages or spirituous liquors within the retailers premises for the purpose of determining whether or not said retailer is in possession of any untaxed malt or brewed beverages or spirituous liquors.

(c) The Shelby County governing body is hereby authorized to enact regulations which require the purchase and affixing of decals or other devices evidencing the payment of the tax provided by this act upon each container containing malt or brewed beverages or spirituous liquors then and only then will the provisions of Sections 9, 10, and 11 of this act be applicable and enforceable.

Section 9. Unlawful Acts. Among others the following acts shall be unlawful and punished as misdemeanors:



(a) It shall be unlawful for any person required by this act to affix decals or other similar devices to containers containing malt or brewed beverages or spirituous liquors, to fail to affix such decals or other devices.

(b) It shall be unlawful for any person to sell, offer to sell or deliver within the county any malt or brewed beverages or spirituous liquors to which decals or other devices have not been affixed as provided by this act.

(c) It shall be unlawful for any person to have in his possession or under his control a container of malt or brewed beverages or spirituous liquors without the proper decals as required by this act.

(d) It shall be unlawful to manufacture, buy, sell, offer for sale or possess or to attempt any reproduction or counterfeit decals or other devices provided for in this act or to possess tools, implements, instruments or materials of any kind necessary or appropriate to reproduce or counterfeit such tools or devices or to alter or cause to be altered any decal or other devices provided for by this act.

(e) It shall be unlawful to remove from a container of malt or brewed beverages or spirituous liquors or otherwise prepare any decals or other device with intent to use or cause the same to be used after it has already been used; to buy, sell or offer for sale or give away any washed, removed, altered or restored decals or other devices to any person or to have in possession any such washed or removed or restored or altered decals or other devices, or for the purpose of indicating the payment of any tax hereunder, to reuse any tax decal or other devices which has heretofore been used evidencing the payment of any tax provided for this act or, except as to the governing body of Shelby County, to sell any decal or other device provided for in this act.

(f) It shall be unlawful to reuse or refill with malt or brewed beverages or spirituous liquors any container from which malt or brewed beverages or spirituous liquors theretofore tax paid have been removed.

Section 10. Any inspector employed under the provisions of this act or any sheriff or any deputy sheriff or any municipal police officer shall have authority to seize without warrant any and all containers of malt or brewed beverages or spirituous liquors not bearing a decal or other device as provided in Section 9 of this act. After such seizure of any undecaled or improperly decaled malt or brewed beverages or spirituous liquors are hereby declared to be contraband goods, and upon such confiscation shall be delivered to the Chairman of the Court of the County Commissioners for sale at public auction to the highest bidder after due advertisement; the proceeds of the sale of such malt or brewed beverages sold hereunder after paying all costs shall be distributed as provided under Section 10 of this act. The Chairman of the Court of County Commissioners upon receiving said malt or brewed beverages or spirituous liquors shall proceed as follows: First, he shall cause a list containing a particular description of the malt or brewed beverages or spirituous liquors seized showing the quantity of each brand, the date or dates on which confiscated, and the person or persons from whom confiscated, to be prepared in duplicate. The said Chairman of the Court of County Commissioners shall proceed to post a notice for three weeks in writing at three places in the county that the seizure was made, describing the malt or brewed beverages or spirituous liquors, seized and the quantity of each brand and stating the time and place and cause of their seizure, and requiring any person claiming such malt or brewed beverages or spirituous liquors to

appear and make such claim within twenty-one days from the date of the first posting of such notice. Second, any person claiming such malt or brewed beverages or spirituous liquors so seized as contraband within the time specified in the notice may file with the Chairman of the Court of County Commissioners a claim in writing stating his interest in the malt or brewed beverages or spirituous liquors seized and shall execute a bond to the Chairman of the Court of County Commissioners in penal sum equal to double the value of the malt and brewed beverages or spirituous liquors so seized but in no case shall the said bond be less than the sum of \$100.00 with sureties to be approved by the Chairman of the Court of County Commissioners and conditioned that in the case of condemnation of the malt and brewed beverages or spirituous liquors, the obligator shall pay to the Chairman of the Court of County Commissioners for the benefit of Shelby County, Alabama the full value of the malt or brewed beverages or spirituous liquors so seized, and all costs or expenses of the proceedings to obtain such condemnation, including a reasonable attorney's fee. Upon the delivery of such bond to the Chairman of the Court of County Commissioners, he shall transmit the same with the duplicate list of description of the malt and brewed beverages or spirituous liquors so seized to the county attorney or to the district attorney of the county, and the said county attorney or district attorney shall file a bill in the Circuit Court in Equity to secure the forfeiture of said malt or brewed beverages or spirituous liquors and containers in which seized. Upon filing the bond as aforesaid, the said malt or brewed beverages or spirituous liquors shall be delivered to the claimant pending the outcome of said case provided however, the proper license tax must be paid by the claimant before said malt or brewed beverages or spirituous liquors are delivered to him by the Chairman of the Court of County Commissioners. Third, if no claim is interposed or no bond given within the time above specified, such malt or brewed beverage or spirituous liquors, shall be forfeited without further proceedings and the same shall be sold to the highest bidder. In addition to said bid, said purchaser shall pay the tax on said malt or brewed beverages or spirituous liquor as provided for by this act. The proceedings against such malt or brewed beverages or spirituous liquors pursuant to the provisions of this act shall be considered as proceedings in rem.

Section 11. Collection of the tax may be accomplished in this fashion: The governing body may procure decals or other devices susceptible of being affixed, with measurable permanence, to containers of malt or brewed beverages or spirituous liquors to be taken from storage, distributed or sold, each of which decals or other devices shall bear in legible characters a notation that it evidences the payment of the tax levied by this act, and may procure such forms and other printed matter and materials as may be necessary in the administration of this act. Decals or other devices may be furnished to each seller or distributor of malt or brewed beverages or spirituous liquors, upon his request therefor and payment of the amount of tax corresponding to the stated value of the decals or other devices that he procures, less an eight per cent (8%) discount; provided, however, that such decals or other devices shall be sold and furnished to wholesalers only. Each distributor or seller must affix to each container of malt of brewed beverages or spirituous liquors the appropriate decals of other devices before the same is taken from storage, sold or delivered.

Section 12. The proceeds of the tax imposed by this act shall be paid in the Shelby County General Fund and the proceeds of such tax less the cost of administering, enforcing, and collecting said tax, shall be disbursed out of the County General Fund as follows: One-third of the net proceeds of such tax shall, on or before the 25th day of each month, be paid to the Shelby County Board of Education; one-third

of the net proceeds of such tax shall remain in the General Fund of Shelby County to be disbursed by the County governing body, and one-third of the net proceeds of such tax shall, on or before the 25th day of each month, be paid to the municipalities of Shelby County in the same ratio as the population of each municipality bears to the total population of all municipalities in Shelby County according to the most recent county by the Bureau of the Census.

Section 13. Any person, firm, or corporation who violates any provision of this act or the rules and regulations as may be provided by the county governing body shall be guilty of a misdemeanor and upon conviction shall be punished as provided by law.

Section 14. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed in the rules and regulations promulgated by the county governing body shall pay, in addition to the tax, a penalty of ten percent of the amount of tax, together with interest thereon at the rate of one-half of one percent per month or fraction thereof, from the date at which the tax herein levied becomes payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 15. None of the provisions of this act shall become effective until such times as the sale of malt or brewed beverages or spirituous liquors shall have become lawful in Shelby County. When such sales have been proclaimed to be lawful in Shelby County then each and every provision of this Act shall be in effect.

Section 16. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 17. All laws are parts of laws which conflict with this act are repealed.

Section 18. This act shall become effective on the first day of the calendar month immediately following its passage and approval by the Governor or upon its otherwise becoming a law.

#### THE STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, to wit in issues thereof dated as follows: July 22, 29, Aug. 5, 12, 1971.

MILDRED WALLACE,  
Associate Editor.

Subscribed and sworn to before me this 13th day of Aug., 1971.

CONRAD M. FOWLER,  
Judge of Probate.

Also:

By Mr. Stubbs:

H. 2581. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing for the payment by the county govern-

ing body of an expense allowance for the Tax Assessors, Tax Collectors, Circuit Clerks, Probate Judges, Coroners, and members of the county governing bodies; providing a limitation on amounts so paid; and providing further for such payments.

Also:

By Mr. Stubbs:

H. 2583. To amend the title and Section 1 of Act No. 432, H. 949, Regular Session 1965 (Acts 1965, p. 633) relating to counties having populations of not less than 31,500 nor more than 33,500; regulating further the insuring of certain public buildings in such counties, together with the equipment, furniture, fixtures, and other property in such buildings.

Also:

By Mr. Stubbs:

H. 2584. To amend the title and Section 1 of Act No. 261, H. 212, Regular Session 1961 (Acts 1961, Vol. 1, P. 283).

To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

Also:

By Mr. Stubbs:

H. 2585. To amend the title and Section 1 of Act No. 570, S. 215, Regular Session 1969 (Acts 1969, Vol. II, p. 1056) relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

Also:

By Mr. Stubbs:

H. 2586. To amend the title and Section 1 of Act No. 139, H. 282, Special Session 1966 (Acts 1966, p. 170) to regulate the compensation and allowances of coroners in counties having populations of not less than 32,000 nor more than 33,000 and repeal conflicting laws.

Also:

By Mr. Stubbs:

H. 2587. To amend the title and Section 1 of Act No. 181, H. 227, Special Session 1964 (Acts 1964, p. 249) to apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

Also:

By Mr. Stubbs:

H. 2588. To amend the title and Section 1 of Act No. 354, H. 877, Regular Session 1965 (Acts 1965, p. 490) to apply only in counties having populations of not less than 32,000 nor more than 33,000; providing expense allowances for members of the board of revenue or other like governing body of the county.

Also:

By Mr. Stubbs:

H. 2589. To amend the title and Section 1 of Act No. 275, H. 211, Special Session 1961 (Acts 1961, Vol. II, p. 2315) relating to court costs in all counties having populations of not less than 31,500 nor more than 33,500, according to the last or any subsequent federal decennial census.

Also:

By Mr. Stubbs:

H. 2590. To amend the title and Section 1 of Act No. 1221, H. 1493, Regular Session 1969 (Acts 1969, p. 2294) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the members of the board of registrars in such counties.

Also:

By Mr. Stubbs:

H. 2591. To amend the title and Section 1 of Act No. 1222, H. 1494, Regular Session 1969 (Acts 1969, p. 2295, Vol. III) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2566, 2579, 2582, 2581, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590 and 2591. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Jones (F):

H. 2406. To amend the title and Section 1 of Act No. 921, H. 1328, Regular Session 1969 (Acts 1969, p. 1660) which exempts art guilds and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions; to repeal conflicting laws in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2407. To amend the title and Section 1 of Act No. 97, S. 105, Special Session 1965 (Acts 1965, p. 111) which regulates the per diem pay of jurors in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2409. To repeal Act No. 244, H. 502, approved August 19, 1963, Regular Session 1963 (Acts 1963, p. 653), entitled, "An Act to provide additional compensation or salary for the official court reporters in all circuit courts in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 inhabitants according to the last preceding or any subsequent federal decennial census; and providing for the payment thereof."

Also:

By Mr. McDonald:

H. 2396. To repeal Act No. 497, S. 395, approved September 14, 1963, Regular Session 1963 (Acts 1963, p. 1065) entitled, "An Act to authorize circuit solicitors of circuits composed of only one county with a population under 500,000 and having two courthouses where circuit court is required by law to be held to employ a secretarial assistant; to prescribe the powers, duties and compensation of such secretarial assistant, and to provide for payment of such compensation from the general fund of the county composing such circuit."

Also:

By Mr. Jones (F):

H. 2410. To amend the title and Section 1 of Act No. 432, H. 937, Regular Session 1961 (Acts 1961, p. 469) as last amended, which regulates the office of sheriff; authorizes the sheriff to employ certain personnel; provides for the payment of compensation to the sheriff and the employees of his office; provides for the deposit of all collections by that office; establishes certain exemptions for the sheriff; and designates certain duties to be performed by the sheriff's office in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2411. To amend the title and Section 1 of Act No. 165, H. 215, Special Session 1965 (Acts 1965, p. 216) as last amended which fixes the fee for the issuance of a pistol permit by the sheriff, and provides for the disposition and use of such fee in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2412. To amend the title and Section 1 of Act No. 1008, S. 843, Regular Session 1969 (Acts 1969, p. 1882) which provides for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2413. To amend the title and Section 1 of Act No. 231, S. 402, Regular Session 1969 (Acts 1969, p. 555) which provides for payment to

the Recorder of the Recorder's Court for ex officio services rendered in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding \$5,100 per annum, payable in 12 equal monthly installments from the county treasury; to provide for payment to the Prosecuting Attorney of the Recorder's Court for ex officio services in the prosecution of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding \$3,000 per annum, payable in 12 equal monthly installments out of the county treasury in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2414. To amend the title and Section 1 of Act No. 145, H. 541, Regular Session 1969 (Acts 1969, p. 418) which provides further for the duties of the judge of probate; to authorize the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2415. To amend the title and Section 1 of Act No. 144, H. 540, Regular Session 1969 (Acts 1969, p. 416) which provides further for the duties of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2416. To repeal Act No. 971, H. 1405, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1716), entitled, "An Act to provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation status and tenure of office and providing for the payment of their salaries."

Also:

By Mr. Jones (F):

H. 2417. To amend the title and Section 1 of Act No. 369, H. 917, Regular Session 1969 (Acts 1969, p. 738) which fixes the compensation of the judge of probate, regulates the payment of same, and requires the judge of probate to pay into the County Treasury of said counties all costs and charges of court, fees, and commissions authorized by law to be collected by said judge of probate as other monies belonging to said county are paid, provided that the salary herein prescribed shall not affect any expense allowance heretofore provided, and repeals conflicting laws, specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792) in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2418. To amend the title and Section 1 of Act No. 685, H. 1093, Regular Session 1957 (Acts 1957, p. 1036) which provides for the election of the members of the County Commission in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2419. To amend the title and Section 1 of Act No. 288, S. 319, Regular Session 1955 (Acts 1955, p. 654) as last amended, which defines, regulates and licenses barbers and barber colleges, and other like businesses; to create a barber's Commission and define the powers and duties of said Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions thereof in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2420. To amend the title and Section 1 of Act No. 250, S. 312, Regular Session 1959 (Acts 1959, p. 810) as last amended, which creates a domestic relations division of the circuit court; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2421. To amend the title and Section 1 of Act No. 35, S. 34, Regular Session 1963 (Acts 1963, p. 120) which encourages medical and scientific research and the establishment of medical research facilities and the development of scientific research devices by exempting certain activities, persons, organizations, and properties from building and zoning restrictions, permits, and fees, and public health and sanitary inspection fees charges and limitations in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2422. To amend the title and Section 1 of Act No. 176, S. 372, Regular Session 1967 (Acts 1967, p. 536) which distributes a portion of the State Gasoline Excise Tax to be paid pursuant to the provisions of Section 5 (b) of Act No. 224 in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2423. To amend the title and Section 1 of Act No. 654, H. 1275, Regular Session 1961 (Acts 1961, p. 792) which declares the public policy of the State with respect to violations of Section 420, Title 14, Code of Alabama (1940) as amended by certain subsequent Acts; determines that prosecution and the imposition of criminal penalties are inadequate



deterrents to violations of that Act and that the remedy at law is insufficient, declares violations of that statute to be a legal nuisance; provides certain exemptions; prevents unfair competition among merchants through violations of that statute; provides procedures for prescribing evidentiary presumptions for the Act's enforcement by injunction, confers jurisdiction for enforcement upon equity courts in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2424. To amend the title and Section 1 of Act No. 341, H. 741, Regular Session 1951 (Acts 1951, p. 629) which provides for the payment of benefits to employees of certain counties who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of certain counties who are killed in the performance of their official duties in certain counties classified on a population basis.

Also:

By Mr. Jones (F):

H. 2425. To amend the title and Section 1 of Act No. 49, H. 109, Special Session 1962 (Acts 1962, p. 68) which exempts Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions in certain counties classified on a population basis.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2406, 2407, 2409, 2396, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered and again passed the bill:

S. 364. To provide for the Alcoholic Beverage Control Board to issue liquor licenses to Civic Center Authorities established under Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, p. 797, et seq.); to regulate the issuance of such licenses; to provide the amount of the license tax, or fee, which shall be payable for such licenses; to provide that such license shall authorize the Civic Center Authority holding the same to keep and sell in its Civic Center Alcoholic, malt and vinous beverages, and to repeal laws or parts of laws in conflict with the provisions of this Act.

the Governor's veto to the contrary notwithstanding, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 57, Nays 26.

And said bill, together with the Governor's veto, is herewith returned to the Senate.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered and again passed the bill:

S. 365. To provide that this act shall apply to each county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving, or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area, to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to establish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either of the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama of 1940, as now or hereafter amended.

the Governor's veto to the contrary notwithstanding, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 54, Nays 31.

And said bill, together with the Governor's veto, is herewith returned to the Senate.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Mathews:

H. 2215. To make an appropriation for the payment of expenses of the Legislature.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 2215. To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 802. To transfer certain historic properties owned by the Conservation Department of the State of Alabama to the Alabama Historical Commission.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hearn, Grainger and Lutz:

H. 2576. To provide for the manner and procedure for the election of members of the Madison County Commission or like governing body that may be created for Madison County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To provide for the manner and procedure for the election of members of the Madison County Commission or like governing body that may be created for Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section One: Any other provisions of law notwithstanding one member from each of the districts are constituted and defined on January 1 of the year of election, shall be elected in the 1972 general election and at the general election held every four years thereafter to serve for four

years from the time of their installation in office and until their successors shall be elected and qualified, such installation to take place on the first Monday after the second Tuesday in January after their election. The chairman or presiding officer of the Madison County Commission or like governing body which may be created for Madison County, Alabama shall be the member elected from the district wherein the county seat is located. Each member so elected shall be a registered voter in and a resident of the district as so constituted and defined and each member shall be elected by the qualified voters of the county at large.

Section Two: Whenever a member of the said board or like governing body of the county shall move his residence or his voting place from the district from which he was elected his office on said board shall become vacant and his successor, who shall have the same qualifications as an elected member, shall be appointed by the board to serve until the next general election and until his successor is elected and qualified.

Section Three: All laws or parts of laws, local, general or special, in conflict with this Act are hereby repealed.

Section Four: The provisions of this Act are severable. If any section, provision or sentence of this Act is held to be unconstitutional or invalid such holding will not affect the constitutionality or validity of the remaining portions of this Act.

Section Five: This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 28, AUGUST 7, AUGUST 9, and AUGUST 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me AUGUST 16, 1971.

WILLIAM B. BAKER,  
Notary Public.

My Commission Expires 12-17-73.

Also:

By Messrs. McCorquodale, Burgess, Bassett, Jackson, Warren, Benton, Fite, Smith (P), Headley, Brassell, Chesnut, O'Daniel, Grey (D), Williams, Edwards, Wise, Agee, Robertson, Mims, Crowe, Reid (R), Wynot, Hobbie, Hardin, Pruitt, Mathews, Carter, Jones (F), Connell, Kinsey, Casey, Drake, Cross, Naramore, Owens, St. John, Lang, Culver, Barkett and Hearn:

H. 2081. To amend Code of Alabama 1940, Title 51, Section 15, in relation to the exemption of homesteads from ad valorem taxes.

Also:

By Mr. McCorquodale:

H. 2141. To amend Section 2 of Act No. 194 (H. 324), Acts of Alabama Regular Session 1935 entitled "An Act To Provide For The General Revenue Of The State Of Alabama", as amended, which is codified in Code of Alabama 1940, Title 51, Section 2, as amended, to provide for exemption from ad valorem taxation of farming tools and farm implements; exempting from ad valorem taxation all personal property (other than motor vehicles, trailers, and semi-trailers) not used in a trade or business or for the production of income; exempting from ad valorem taxation stocks of goods, wares and merchandise to the value of thirty thousand dollars; providing for severability of the provisions in the Act should any part be declared invalid or unconstitutional; and providing for an effective date.

Also:

By Messrs. McCorquodale, Brassell, Adams, Hearn, Agee and Turnham:

H. 2078. To provide an appropriation to the Alabama Forestry Commission for the purchase of land needed to expand existing forest tree seedling nursery.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 2576. To the Committee on Local Legislation No. 1.

H. B.'s 2081, 2141, and 2078. To the Committee on Finance and Taxation.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Harris, Jones (F) and Taylor:

H. 266. To amend Title 13, Section 255, Code of Alabama 1940, as last amended, relating to the appointment of certain deputy district attorneys and their salaries.

Also:

By Messrs. Straiton, Harris, Taylor, Jones (F) and Hobbie:

H. 1269. Relating to any county in this State having a population of not less than 150,000 nor more than 180,000 according to the last or any subsequent federal decennial census, otherwise known as the Fifteenth Judicial Circuit; providing for an additional Circuit Court Judge in such Circuit.

Also:

By Messrs. Hearn, Grainger, Lutz and Hale:

H. 801. To amend Section 1 of Act No. 96 enacted at the 1963 Second Special Session of the Legislature of Alabama so as to provide that counties, as well as municipalities, may issue the revenue bond anticipation notes therein provided for, and to provide that municipalities or counties that have issued such bond anticipation notes may, when such notes are held by the United States of America or any agency or instrumentality thereof, issue and deliver revenue bonds in exchange for an equal principal amount of such notes without compliance with the provisions of Section 259 of Title 37 of the Code of Alabama of 1940.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 266 and 1269. To the Committee on Finance and Taxation.

H. B. 801. To the Committee on Commerce, Transportation and Common Carriers.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 534. To amend the Title and Section 1 of Act No. 227, H. 137, Special Session 1964 (Acts 1964, p. 313), which provides civil service or merit system status for Chiefs of Police of certain cities classified on a population basis.

Also:

S. 457. To set up an Alabama Health Care Plan; to provide health care insurance for those Alabama citizens not otherwise able to obtain such protection; to allow insurance companies, on a non-profit basis, to organize for the purpose of offering health insurance under the provisions of the plan; to establish, through the Superintendent of Insurance, premium rates and expense provisions; to provide relief from premium tax and recoupment of losses through premium tax exemptions to insurers; to provide for rules and regulations and penalties for those persons wilfully misrepresenting material facts in order to qualify under the provisions of the plan; to provide for the examination of companies and employment of special persons, at no expense to the State, to assist the Superintendent of Insurance in implementation of the plan.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Pruitt and Manley:

H. 2502. To establish a Sumter County Court of Record for Sumter County, Alabama, to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensation; to provide that said Court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure for said Court; to provide a fine and forfeiture fund for said Court; and to abolish the County Court of Sumter County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given in accordance with the Constitution of the State of Alabama that a bill will be introduced and its enactment applied for, in the Legislature of Alabama, the substance of the bill being as follows:

To establish a Sumter County Court of Record for Sumter County, Alabama, to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that said Court shall be open at all times for the trial of cases and the transaction of business; to provide a fine and forfeiture fund for said Court; and to abolish the County Court of Sumter County, Alabama.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says on oath that during the times herein mentioned he was the Publisher of the Sumter County Journal, an newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, 1971, July 29, 1971, August 5, 1971, and August 12, 1971.

DICK SMITH.

Subscribed and sworn to before me this 12th day of August, 1971.

NATHAN G. WATKINS,  
Notary Public.

Also:

By Messrs. Owens, Lyons and Drake:

H. 1530. To amend further Title 28, Section 321, Code of Alabama 1940, as amended, which relates to the state insurance fund; to provide for a discount or surcharge on premiums paid into the fund based on the experience of the individual insureds participating in the fund.

Also:

By Messrs. Hobbie, Jones (F) and Harris:

H. 1123. Further amending Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, as Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Also:

By Messrs. Owens, Lyons and Drake (with amendment):

H. 1529. To amend Title 28, Section 323, Code of Alabama 1940, as amended, so as to provide further for investments by the State Insurance Fund.

Also:

By Messrs. Cherner, Gloor, Bank, Weeks and Waggoner:

H. 880. To raise revenue and to that end to amend further Sections 812, 816 and 819 of Title 51 of the Code of Alabama of 1940, as heretofore amended, dealing with taxation of insurance companies.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B. 2502. To the Committee on Local Legislation No. 1.

H. B.'s 1530, 1529 and 880. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 1123. To the Committee on Finance and Taxation.

### UNFINISHED BUSINESS

#### BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today which was the Bill:

S. 59. To provide expense allowance to Judges of the Circuit Court in all Judicial Circuits composed of five or more counties in addition to those expenses now allowed by law.

On motion of Mr. Cooper, further consideration of the Bill, S. B. 59, was postponed until the next Legislative Day.

### SPECIAL ORDERS

#### BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Special, paramount and continuing order of business for today, the first of which was the Bill:

H. 1121. To amend subsection (d) of Section 262, subsection (i) of Section 262, Section 263, paragraph (1) subsection (C) of Section 279, Sections 285, 289, 292, 293 and paragraph (5) of Section 309, all being of Title 26, Code of Alabama 1940, as last amended, relating to extending coverage, increasing disability, death and medical benefits, and providing penalties for noncompliance, all pertaining to the Workmen's Compensation Law.

And said Bill, H. B. 1121, was read a third time at length and passed.



Yeas 31; Nays 0.

Yeas:

Messrs.:	Foshee	King	Pelham
Bailes	Gilmore	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Clark	Hammond	McLain	Shelby
Cook	Harris	Malone	Vacca
Dozier	Hawkins	Noonan	Weaver
Edington	Horne	O'Bannon	Wilder
Fine	Jones	Owen	Wilson

—31

Nays:

—0

The Bill:

H. 1122. To supplement the Workmen's Compensation Act of Alabama; to provide compensation for injured workmen and dependents of deceased workmen; and without limiting the comprehensiveness and generality of the foregoing, to supplement Chapter 5, Title 26, Code of Alabama 1940, as amended, known as the Workmen's Compensation Act of Alabama, by adding thereto the following to be designated as Article 2C of said chapter prescribing the liability of an employer to make compensation by way of damages for disablement or death of an employee caused by occupational disease, other than occupational pneumoconiosis and occupational exposure to radiation, which arises out of and in the course of his employment; declaring said occupational disease is to be regarded as an accident without regard to negligence or fault, if any, of the employer, and providing for acceptance of the provisions hereof by election and for the enforcement of such liability, modifying common law, contractual and statutory remedies in such cases, regulating procedure for determination of such liability and the compensation payable and providing a period of limitation for filing suits on claims arising from occupational disease.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pelham
Bailes	Givhan	Littleton	Pierce
Branyon	Hammond	Lybrand	Register
Carr	Harris	McLain	Shelby
Clark	Hawkins	Malone	Vacca
Cook	Horne	Noonan	Weaver
Cooper	Jones	O'Bannon	Wilder
Edington	King	Owen	Wilson
Fine			

—32

Nays:

—0

The Bill:

S. 375. To amend Subsection I of Section 204, Subsections A, B and D of Section 216, Section 217, Subsection A of Section 218, and Subsection C and Paragraph (1) of Subsection E of Section 240, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to transfer of tax rating experience to a successor employer, claim determinations and redeterminations, hearing and decision of disputed claims, assessment of delinquent contributions, and execution, levy and sale for contributions; all relating to unemployment compensation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen	
Bailes	Gilmore	Lindsey	Pelham	
Branyon	Givhan	Littleton	Pierce	
Carr	Hammond	Lybrand	Register	
Clark	Harris	McLain	Shelby	
Cook	Hawkins	Malone	Weaver	
Edington	Horne	Noonan	Wilder	
Fine	Jones	O'Bannon		—30

Nays:

—0

The Bill:

S. 446. To make an appropriation to the Alabama State Board of Public Accountancy.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Hammond	McLain	Shelby	
Clark	Harris	Malone	Weaver	
Cooper	Horne	Noonan	Wilder	
Dominick	Jones	O'Bannon	Wilson	
Edington	King			—29

Nays:

—0

The Bill:

S. 23. To provide further for the management of the trial courts of the State and the continual improvement thereof; to establish a State Department of Court Management, to prescribe its powers, functions and duties; to provide for its officers and employees; to authorize such department to conduct studies, projects and functions designed to improve the administration of justice, the courts and continuing legal and judicial education and to authorize the use of the services of any member of the judiciary in connection therewith; to authorize county governing bodies to provide for or assist in providing for court management departments, projects and studies and to provide or assist in providing continuing legal and judicial education to judges and other court officers and employees; to place certain duties on the Chief Justice of the Alabama Supreme Court; and to make appropriations to carry out the provisions of this act.

was taken up.

Mr. O'Bannon offered the following amendment, to the Bill, S. B. 23, to-wit:

#### AMENDMENT TO SENATE BILL 23

Amend Senate Bill 23 by striking therefrom Section 5 and Section 6 in their entirety and renumbering the remaining sections.

Which was adopted.

Yeas 28; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	O'Bannon	
Carr	Foshee	Lindsey	Pierce	
Clark	Gilmore	Littleton	Register	
Cook	Givhan	Lybrand	Weaver	
Cooper	Harris	McLain	Wilder	
Dominick	Horne	Malone	Wilson	
Dozier				—28

*Nays:* —0

And said Bill, S. B. 23, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

*Yeas:*

Messrs.:	Edington	Jones	Noonan	
Bailes	Fine	King	O'Bannon	
Carr	Foshee	Lindsey	Register	
Clark	Gilmore	Littleton	Shelby	
Cook	Givhan	Lybrand	Weaver	
Cooper	Harris	McLain	Wilder	
Dominick	Horne	Malone	Wilson	
Dozier				—28

*Nays:* —0

The Bill:

H. 1151. To better provide for the public health by providing that an assistant to a physician, and any trainee in training to become an assistant to a physician, can perform medical services when certain conditions are met; by providing for the approval and regulation of assistants to physicians; by providing for the approval and regulation of physicians to utilize assistants to physicians; by providing for the approval and regulation of programs for training assistants to physicians; enlarging the powers of the Board of Medical Examiners so that they may promulgate rules and regulations for regulating assistants to physicians and the physicians who utilize them; prescribing penalties for violations of the provisions of this Act; authorizing the State Board of Medical Examiners to make any further provisions for carrying out the intent and purposes of this Act, and, for carrying out any other rules and regulations promulgated by the Board of Medical Examiners; providing for injunctive proceedings; restricting liability and responsibility for the acts or omissions of assistants to physicians to the licensed physician or physicians responsible for the control and direction of the activities of such assistants, and providing that no other person, firm, corporation or organization shall be liable or responsible for such activities; and to repeal all laws or part of law to the extent that they conflict with any of the provisions of this Act.

was taken up.

Mr. Cooper offered the following amendment to the Bill, H. B. 1151, as amended, to-wit:

## AMENDMENT TO H. 1151, AS AMENDED

In Section 3 strike out subsection (c) as amended, in its entirety and insert in lieu thereof the following:

(c) In the performance of any medical service contemplated by this Act, an assistant to a physician shall be conclusively presumed to be the agent, servant or employee solely of the licensed physician or physicians under whose supervision he performs such service; and no other person, firm, corporation or other organization shall be held liable or responsible for any act or omission of such assistant arising out of the performance of such medical service.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Vacca	
Cooper	Hammond	Malone	Weaver	
Dominick	Harris	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
Edington	Jones	Owen		—30

Nays:

—0

And said Bill, H. B. 1151, as thus amended, was read a third time at length and passed.

Yeas 28; Nays 1.

Yeas:

Messrs.:	Gilmore	King	Owen	
Bailes	Givhan	Lindsey	Pelham	
Clark	Hammond	Littleton	Shelby	
Cooper	Harris	Lybrand	Vacca	
Dozier	Hawkins	McLain	Weaver	
Edington	Horne	Malone	Wilder	
Fine	Jones	O'Bannon	Wilson	
Foshee				—28

Nay: Mr. Noonan

—1

The Bill:

H. 675. Defining abandoned motor vehicles, authorizing peace officers to remove abandoned motor vehicles from public streets, roads, highways and other public property; to provide a method for sale of abandoned motor vehicles; to provide for the distribution of the proceeds of the sale of abandoned motor vehicles and for related purposes.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following amendment to the Bill, H. B. 675, to-wit:

## AMENDMENT TO H. B. 675

Amend H. B. 675 by striking Section 1 and adding in lieu thereof the following Section 1:

"Section 1. For the purposes of this Act, an "abandoned motor vehicle" shall mean a motor vehicle as defined in Title 36, Section 1, Code of Alabama of 1940, as amended:

(a) Which has been left by the owner, or some person acting for the owner, with an automobile dealer, repairman or wrecker service for repair or for some other reason and has not been called for by such owner or other person within a period of sixty (60) days after the time agreed upon and within sixty (60) days after such vehicle is turned over to such dealer, repairman or wrecker service when no time is agreed upon, or within sixty (60) days after the completion of necessary repairs.

(b) Which is left unattended on a public street, road or highway or other public property for a period of at least seven (7) days.

(c) Which has been lawfully towed onto the property of another at the written request of a law enforcement officer and left there for a period of not less than sixty (60) days without anyone having made claim thereto."

Further amend H. B. 675 by adding at the end of Section 8 the following:

"Section 9. This Act shall become effective immediately upon its passage and its approval by the Governor or its otherwise becoming law."

H. B. 675 is further amended as follows:

Amend Section 4 of House Bill 675 by deleting Section 4 in its entirety and substituting in lieu thereof the following Section 4:

"Section 4. Notice of the time and place of such sale shall be given to the owner, lienholders, if any, or other interested parties, by publication of such notice once a week for two (2) successive weeks in a newspaper of general circulation, published in the County in which such automobile dealer, wrecker service or repair service owner has its fixed place of business, or in the County where such vehicle was lawfully towed at the written request of a law enforcement officer, or where a person shall have such abandoned motor vehicle on his property. In counties in which no newspaper is published, notice shall be given by posting such notice in a conspicuous place at the Courthouse. The first publication or posting, as the case may be, shall be at least twenty (20) days before the sale. The notice shall include a complete description of the vehicle and the date and place the vehicle was found or taken into possession."

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen
Bailes	Foshee	King	Pelham
Branyon	Gilmore	Lindsey	Pierce
Carr	Givhan	Littleton	Shelby
Clark	Hammond	Lybrand	Vacca
Cooper	Harris	McLain	Weaver
Dominick	Hawkins	Malone	Wilder
Dozier	Horne	Noonan	Wilson
Edington			

—32

Nays:

—0

And said Bill, H. B. 675, as thus amended, was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Bailes	Foshee	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Carr	Givhan	Littleton	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cooper	Harris	McLain	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Edington	Horne	O'Bannon	Wilson	
				—31

Nays: —0

The Bill:

H. 184. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

Was read a third time at length as required by the Constitution and passed.

Yeas 30; Nays 1.

Yeas:

Messrs.:	Foshee	King	Pelham	
Branyon	Gilmore	Lindsey	Pierce	
Carr	Givhan	Littleton	Shelby	
Clark	Hammond	Lybrand	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Edington	Horne	O'Bannon	Wilson	
Fine	Jones	Owen		—30

Nay: Mr. Bailes —1

The Bill:

H. 285. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for the promotion of production, distribution, marketing, use, improvement and sale of milk and milk products.

Was read a third time at length as required by the Constitution and passed.

Yeas 29; Nays 1.

Yeas:

Messrs.:	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Carr	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Edington	Jones			—29

Nay: Mr. Bailes —1

The Bill:

S. 726. To repeal subsection (2) of Section 14 of Act No. 374, General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson

—31

Nays:

—0

The Bill:

S. 729. To regulate the use of insurance in connection with the loan or forbearance of money, and to authorize the Commissioner of Insurance to make rules and regulations relating thereto.

was taken up.

Mr. Pelham offered the following substitute for the Bill, S. B. 729, to-wit:

#### SUBSTITUTE FOR S. 729

#### A BILL TO BE ENTITLED AN ACT

To regulate the use of insurance in connection with the loan or forbearance of money, and to authorize the Superintendent of Banks to make rules and regulations relating thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. With respect to any loan or forbearance of money, where the lender is assigned a policy of term insurance or any interest therein or in the proceeds thereof, such term insurance shall be reasonable in relationship to the amount and term of such loan.

Section 2. The Superintendent of Banks is authorized and empowered to adopt and promulgate rules and regulations to carry out the purposes of this Act.

Section 3. Any person who violates this Act or any of the rules and regulations issued pursuant thereto shall forfeit all interest and charges on such loan.

Section 4. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming law.

Which was adopted.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Vacca
Cook	Hammond	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones	Owen	

—34

Nays:

—0

And said Bill, S. B. 729, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Pelham
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Vacca
Cook	Hammond	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—33

Nays:

—0

The Bill:

H. 14. To provide that unemployment insurance fraud investigators and certain other employees of the Department of Industrial Relations, designated in writing by the Director thereof, shall be peace officers of the State of Alabama with police power to enforce the provisions of the Unemployment Compensation Law.

Was read a third time at length and passed.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce
Bailes	Gilmore	Lybrand	Register
Branyon	Givhan	McLain	Shelby
Carr	Harris	Noonan	Vacca
Clark	Hawkins	O'Bannon	Weaver
Dominick	Horne	Owen	Wilder
Dozier	Jones	Pelham	Wilson
Edington			

—28

Nays: Messrs. Cooper, Hammond

—2

The Bill:

S. 946. To amend further Code of Alabama, 1940, Title 37, Section 557, which relates to the payment of municipal assessments for public



improvements, amending such section in relation to the rate of interest to be paid when such assessments are paid in installments and the rate of interest to be paid on delinquent installments.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Dozier	Jones	Pierce
Bailes	Edington	Lindsey	Register
Branyon	Fine	Lybrand	Shelby
Carr	Foshee	McLain	Vacca
Clark	Gilmore	Noonan	Weaver
Cook	Givhan	O'Bannon	Wilder
Cooper	Hammond	Owen	Wilson
Dominick	Horne	Pelham	

—30

Nays: Messrs. Harris, Hawkins

—2

The Bill:

S. 1047. To provide compensation for total disability and death due to pneumoconiosis of underground coal miners as herein defined in compliance with the mandate of the Congress of the United States as required by the provisions of public law 91-173 of the Ninety-First Congress and to provide for standards and presumptions for determining when and under what conditions total disability or death is due to pneumoconiosis as herein defined and to provide that any claim or action filed hereunder for such total disability or death shall be deemed to have been timely filed if filed as herein required within three years of the discovery of such total disability or the date of death in the case of death. And to provide for the liability for the benefits herein provided of prior and successor operators as herein defined for miners employed at such mines on or after January 1, 1973.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Vacca
Cook	Hammond	Noonan	Weaver
Cooper	Harris	O'Bannon	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Horne		

—33

Nays:

—0

The Bill:

H. 5. To regulate further the rates to be charged for publication of legal notices by amending further Code of Alabama 1940, Title 7, Section 718, as amended; and by amending further Act No. 793, S. 117, Regular Session 1953 (Acts 1953, p. 1086), as amended.

Was read a third time at length and passed.

Yeas 20; Nays 11.

Yeas:

Messrs.:	Givhan	King	Pelham	
Clark	Hammond	Lindsey	Shelby	
Cooper	Hawkins	Littleton	Vacca	
Edington	Horne	McLain	Wilder	
Fine	Jones	Owen	Wilson	
Foshee				—20

Nays:

Messrs.:	Carr	Gilmore	Pierce	
Bailes	Cook	Lybrand	Register	
Branyon	Dominick	Noonan	Weaver	
				—11

#### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Cooper, S. B. 487 was indefinitely postponed by the Senate.

#### ADJOURNMENT

At 9:55 P. M., on motion of Mr. Wilder, the Senate adjourned until Thursday, August 26, 1971, at 8 o'clock A. M.

#### THIRTY-FIRST LEGISLATIVE DAY

THURSDAY, AUGUST 26, 1971

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

#### PRAYER

The Session was opened with prayer by the Reverend W. H. Swearingen, retired Baptist minister, Montgomery, Alabama.

#### ROLL CALL

Present:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier	Horne	O'Bannon	Wilson	
				—35

#### JOURNAL

On motion of Mr. Vacca, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE  
ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the journal of the Senate for the Thirtieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

JAMES S. CLARK,  
Chairman.

COMMITTEE REPORT

On motion of Mr. Clark, the foregoing report was concurred in and the Journal of the Senate for the Thirtieth Legislative Day was approved by the Senate.

REPORT OF  
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 364. To provide for the Alcoholic Beverage Control Board to issue liquor licenses to Civic Center Authorities established under Act No. 547 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts 1965, p. 797, et seq.); to regulate the issuance of such licenses; to provide the amount of the license tax, or fee, which shall be payable for such licenses; to provide that such license shall authorize the Civic Center Authority holding the same to keep and sell in its Civic Center alcoholic, malt and vinous beverages, and to repeal laws or parts of laws in conflict with the provisions of this Act.

Also:

S. 365. To provide that this act shall apply to each county of the State having a population of 500,000 or more, according to the last or any subsequent Federal census, and to each municipality of such county; to provide that within that area of any such county lying outside the corporate limits and police jurisdiction of any municipality the governing body of the county shall have exclusive authority to prohibit the giving away, selling, serving, or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority, in the last mentioned area, to prohibit in public places the sale, or service of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or service, of such beverages to persons not seated at tables; to provide that within that area lying within the corporate limits or police jurisdiction of any such municipality the governing body of the municipality shall have the exclusive authority to prohibit the giving away, selling, serving or drinking of alcoholic beverages in public places at such hours, or times, as may be specified by the governing body, and also exclusive authority in the last mentioned area to prohibit in public places the sale, or service, of alcoholic beverages except to persons seated at tables, or to impose restrictions on the sale, or

service, of any such beverages to persons not seated at tables; to provide that the governing body of any such county or any such municipality, shall have the power to adopt ordinances prescribing any prohibition or restriction this act authorizes the county or city to establish; to provide that any violation of any such ordinances shall constitute a misdemeanor; to repeal any such ordinance of any such county or any such municipality in effect when this act becomes effective in such county or such municipality; to repeal all laws or parts of laws in conflict with the provisions of this act except laws prohibiting or regulating the sale or use of alcoholic beverages on election day or in relation to elections; and to expressly provide that this act repeals any part of either of the following laws in conflict with this act: Act No. 102 of the Regular Session of the Legislature of 1949, approved June 20, 1949, (Ala. Acts, 1949, p. 120) and Section 44, Title 29, Code of Alabama of 1940, as now or hereafter amended.

JAMES S. CLARK,  
Chairman.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

#### ORDER OF BUSINESS

On motion of Mr. Vacca, unanimous consent was granted to any Senator to introduce Bills and Resolutions out of order, any Committee to report, and any other Business to be transacted out of order at the discretion of the Chair, for this Legislative Day and each succeeding Legislative Day.

#### RESOLUTION

Mr. Pierce offered the following Senate Joint Resolution, to-wit:

S. J. R. 91. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the Secretary of Senate and the Clerk of the House each be allowed such additional assistants as may be necessary in addition to that now provided, to assist in checking the Journals and other records of the Senate and House for delivery to the Secretary of State.

On motion of Mr. Pierce, the Rules were suspended and the Resolution was adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 139. Welcoming the Free Chinese Ping Pong Team to the United States.

Also:

H. J. R. 140. Commending Astronauts Scott, Irwin and Worden for the success of the Apollo 15 Flight.

Also:

H. J. R. 142. Expressing pride in Alabama's leadership in America's space program.

Also:

H. J. R. 144. Expressing regret upon the death of Mr. Novy Lee Hale of Escambia County.

Also:

H. J. R. 147. Proclaiming October 10, 1971 as Honey Sunday.

Also:

H. J. R. 149. Extending to Mr. Charles Miller all best wishes for an early and complete recovery.

Also:

H. J. R. 152. Naming the new gymnasium at John T. Calhoun State Technical Junior College "The Carlton Kelley Gymnasium.

Also:

H. J. R. 153. Naming the John Tyler Morgan Bridge in Dallas County.

JOHN W. PEMBERTON,  
Clerk.

#### SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1102. Relating to all counties having population of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census; to authorize an increase in the fees charged by the probate judge for the issuing of a marriage license, for performing the marriage ceremony and for the issuing of a marriage certificate in said counties.

Also:

H. 1120. To alter, re-arrange and extend the boundaries and corporate limits of the Town of Pelham, Alabama and so as to incorporate certain territory as described herein.

Also:

H. 1135. To authorize the coroner of Lee County to appoint a deputy.

Also:

H. 1136. Relating to the official court reporter of the thirty-seventh judicial circuit; authorizing the Lee County Commission to pay such reporter additional compensation.

Also:

H. 1137. To provide for a District Attorney's Fund for the Thirty-seventh Judicial Circuit.

Also:

H. 1139. To amend the title and Section 1 of Act No. 931, H. 1484, Regular Session 1961 (Acts 1961, p. 1497), which authorizes the appointment of juvenile court officers in certain counties classified on a population basis.

Also:

H. 1140. To amend the title and Section 1 of Act No. 109, H. 105, Special Session 1964 (Acts 1964, p. 169), which provides for and regulates the licensing and operation of, and hunting on, certain privately owned hunting preserves; provides for fees, and collection and distribution thereof, for such licenses, and penalties for violations of this act, in certain counties classified on a population basis.

Also:

H. 1142. To amend the title and Section 1 of Act No. 676, S. 814, Regular Session 1969 (Acts 1969, p. 1211), which permits banks to establish, etc. certain branch offices within the county limits for certain purposes with consent of the state superintendent of banks, in certain counties classified on a population basis.

Also:

H. 1141. To amend the title and Section 1 of Act No. 305, H. 559, Regular Session 1965 (Acts 1965, p. 421), which authorizes the county governing body to appropriate a contingent fund out of county funds to be used for purposes not otherwise provided by law, in certain counties classified on a population basis.

Also:

H. 1143. To amend the title and Section 1 of Act No. 489, S. 635, Regular Session 1969 (Acts 1969, p. 949), which provides for payment by housing authorities or redevelopment agencies, on appeal from certain condemnation proceedings, of all reasonable costs of the proceedings in the appellate court, including a reasonable attorney's fee except in certain instances, in certain counties classified on a population basis.

Also:

H. 1144. To amend the title and Section 1 of Act No. 552, H. 381, Regular Session 1967 (Acts 1967, p. 1303), which provides, where voting machines are authorized, for the dividing of voting precincts into territories and designating a voting center therein; prescribing the number of voting machines at such centers, and providing for election officers at such centers, in certain counties classified on a population basis.

Also:

H. 1145. To amend the title and Section 1 of Act No. 1120, H. 732, Regular Session 1969 (Acts 1969, p. 2076), which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

Also:

H. 1146. To amend the title and Section 1 of Act No. 972, H. 1407, Regular Session 1969 (Acts 1969, p. 1718), which fixes pistol permit fees and provides for deposit and use of such fees in certain counties classified on a population basis.

Also:

H. 1147. To amend the title and Section 1 of Act No. 250, H. 639, Regular Session 1963 (Acts 1963, p. 660), which changes the method of electing, the designation of, and term of office of, members of the Board of Commissioners of certain cities classified on a population basis.

Also:

H. 1159. To amend the title and Section 1 of Act No. 596, S. 779, Regular Session 1969 (Acts 1969, p. 1083), which provides for the establishment, etc. of public law libraries and the taxing and collection of law library fees as items of court costs in certain cases in certain counties classified on a population basis.

Also:

H. 1160. To amend the title and Section 1 of Act No. 651, S. 735, Regular Session 1969 (Acts 1969, p. 1181), which provides for a temporary chairman of the county governing body should the elected chairman become incapacitated, in certain counties classified on a population basis.

Also:

H. 1161. To amend the title and Section 1 of Act No. 650, S. 734, Regular Session 1969 (Acts 1969, p. 1180), which pertains to the governing body and county engineers of certain counties classified on a population basis.

Also:

H. 1162. To amend the title and Section 1 of Act No. 584, S. 676, Regular Session 1969 (Acts 1969, p. 1071), which requires the teaching of Bible history in all public high schools and provides for instructors therefor, in certain counties classified on a population basis.

Also:

H. 1163. To amend the title and Section 1 of Act No. 277, S. 535, Regular Session 1969 (Acts 1969, p. 609), which provides further for the compensation of the county solicitor or deputy district attorney in certain counties classified on a population basis.

Also:

H. 1164. To amend the title and Section 1 of Act No. 235, S. 452, Regular Session 1969 (Acts 1969, p. 566), which prohibits the sale of alcoholic beverages in certain places; provides that the Act shall not be construed as authorizing the sale of such beverages at any other places in which a majority of the qualified electors voting at a referendum have voted that the county shall be dry, and prescribes penalties for violations, in certain counties classified on a population basis.

Also:

H. 1165. To amend the title and Section 1 of Act No. 122, H. 477, Regular Session 1965 (Acts 1965, p. 187), which provides for the licensing of and regulation of hunting on certain privately owned hunting preserves; prescribes fees for such licenses and collection and distribution thereof, and prescribes penalties for violations, in certain counties on a population basis.

Also:

H. 1166. To amend the title and Section 1 of Act No. 483, H. 809, Regular Session 1965 (Acts 1965, p. 697), which authorizes the Director of Conservation to open a season for the hunting of female deer or unantlered male deer, in certain counties classified on a population basis.

Also:

H. 1167. To amend the title and Section 1 of Act No. 479, H. 665, Regular Session 1967 (Acts 1967, p. 1171), which provides that the regulation of the use of voting machines may be accompanied by the dividing of any voting precinct into territories in which a voting place may be designated, the setting of the number of voting machines in each such place, and the providing of election officers for each voting place, and provides the duties and compensation of such election officers, in certain counties classified on a population basis and according to whether voting machines have been or shall be authorized.

Also:

H. 1168. To amend the title and Section 1 of Act No. 193, S. 79, Special Session 1969 (Acts 1969, p. 255), which provides for the payment or reimbursement to all members of the county governing body of their actual expenses incurred in performing their duties outside the county, including attendance at certain conventions, in certain counties classified on a population basis.

Also:

H. 1169. To amend Section 9 of Title 19, Code of Alabama 1940, as last amended, which relates to the condemnation of property already devoted to public use, to exempt this section from application to certain railroad right-of-way crossings, in certain counties classified on a population basis.

Also:

H. 1149. To propose an amendment to the Constitution of Alabama relative to the fees, commissions, percentages, allowances and compensation of the Judge of Probate and other County officers of Jackson County.

JOHN W. PEMBERTON,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.



## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1170. To amend the title and Section 1 of Act No. 130, H. 372, Regular Session 1969 (Acts 1969, p. 404), which authorizes county boards of education to appoint the superintendent of education, in certain counties classified on a population basis.

Also:

H. 1171. To amend the title and Section 1 of Act No. 187, S. 376, Regular Session 1969 (Acts 1969, p. 502), which regulates the compensation of jurors in certain counties classified on a population basis.

Also:

H. 1172. To amend the title and Section 1 of Act No. 205, S. 375, Regular Session 1969 (Acts 1969, p. 524), which fixes the fee for the issuance of pistol permits by the sheriff and provides for the distribution and use thereof, in certain counties classified on a population basis.

Also:

H. 1173. To amend the title and Section 1 of Act No. 214, S. 293, Regular Session 1969 (Acts 1969, p. 533), which authorizes the boards of registrars to meet an additional ten days per year and to be paid a travel allowance, in certain counties classified on a population basis.

Also:

H. 1174. To amend the title and Section 1 of Act No. 191, S. 422, Regular Session 1969 (Acts 1969, p. 504), which increases the salary of the Judge of the Inferior Court for certain counties classified on a population basis.

Also:

H. 1178. To repeal Act No. 242, H. 921, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 344), entitled, "An Act To apply in all counties having populations of not less than 31,000 nor more than 32,000; authorizing nighttime hunting of racoons with rifle or shotgun; repealing conflicting laws."

Also:

H. 1179. To repeal Act No. 125, H. 275, approved, July 10, 1963, Regular Session 1963 (Acts 1963, p. 500), entitled, "An Act Relating to counties having populations of not less than 31,000 nor more than 32,000 according to the most recent federal decennial census; prescribing further the fees allowed sheriffs in such counties."

Also:

H. 1180. To repeal Act No. 1195, H. 1434, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2234), entitled, "An Act Relating to counties having populations of not less than 31,000 nor more than 32,000; to alter, rearrange and extend the corporate limits of certain towns within such counties."

Also:

H. 1181. To amend the title and Section 1 of Act No. 126, H. 365, Regular Session 1967, (Acts 1967, p. 463), which provides for dividing any voting precinct into territories; designating voting centers in such territories; and providing for the operation of such voting centers in certain counties classified on a population basis.

Also:

H. 1182. To amend the title and Section 1 of Act No. 469, H. 562, Regular Session 1967, (Acts 1967, p. 1161), which fixed the compensation of the deputy sheriffs in certain counties classified on a population basis.

Also:

H. 1183. To amend the title and Section 1 of Act No. 358, H. 362, Special Session 1966, (Acts 1966, p. 498), which authorized the board of revenue to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964; and to provide retroactive effect in certain counties classified on a population basis.

Also:

H. 1184. To amend the title and Section 1 of Act No. 470, H. 563, Regular Session, 1967, (Acts 1967, p. 470), which provided for fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees in certain counties classified on a population basis.

Also:

H. 1185. To amend the title and Section 1 of Act No. 77, H. 458, Regular Session, 1965, (Acts 1965, p. 104), which provided for compensation of the members of the boards of education of such counties classified on a population basis.

Also:

H. 1186. To amend the title and Section 1 of Act No. 331, H. 808, Regular Session 1965, (Acts 1965, p. 460), which provided for expense allowances for the coroners of such counties.

Also:

H. 1187. To amend the title and Section 1 of Act No. 468, H. 561, Regular Session 1967, (Acts 1967, p. 1160), which provided for regulating compensation of election officers in certain counties classified on a population basis.

Also:

H. 1188. To amend the title and Section 1 and 2 of Act No. 1194, H. 1433, Regular Session 1969, (Acts 1969, p. 2234), which provided for the operation of non-profit ambulance services by such counties and municipalities in all such counties classified on a population basis.

Also:

H. 1189. To amend the title and Section 1 of Act No. 714, H. 1010, Regular Session 1967, (Acts 1967, p. 1551), which provided for per diem pay for members of the county board of equalization in certain counties classified on a population basis.

Also:

H. 1190. To amend the title and Section 1 of Act No. 776, H. 1487, Regular Session 1961 (Acts 1961, p. 1114), which Act provides for the payment of an allowance for the chairman of the county commission in certain counties classified on a population basis.

Also:

H. 1191. To amend the title and Section 1 of Act No. 660, S. 766, Regular Session 1969 (Acts 1969, p. 1194), which Act provides for the licensing of, and to regulate the operation of, hunting on privately owned hunting preserves, stocked by artificially propagated uplands in certain counties, classified on a population basis.

Also:

H. 1192. To amend the title and Section 1 of Act No. 510, H. 1125, Regular Session 1965 (Acts 1965, p. 750), which Act authorizes the establishment of branch banks in certain counties classified on a population basis.

Also:

H. 1193. To amend the title and Section 1 of Act No. 172, S. 92, Special Session 1962 (Acts 1962, p. 218), which Act withdraws jurisdiction of criminal cases from justices of the peace and notaries ex officio justice of the peace elected or appointed in certain counties classified on a population basis.

Also:

H. 1194. To amend the title and Section 1 of Act No. 379, H. 937, Regular Session 1969 (Acts 1969, p. 750), which Act authorizes the deputy district attorney to employ a full time secretary and to fix the salary therefore.

Also:

H. 1195. To amend the title and Section 1 of Act No. 783, H. 1362, Regular Session 1961 (Acts 1961, p. 1135), which Act prohibits the taking of fish from public waters by the use of hoop and fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines in certain counties classified on a population basis.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 421. To amend the title and Section 1 of Act No. 158, H. 28, Special Session 1961 (Acts 1961, p. 2106), which Act provides further for jury trials in land line and boundary dispute trials in certain counties on a population basis.

Also:

H. 1050. Relating to the 11th Judicial Circuit, to extend the powers, authority and duties of the district attorney of such judicial circuit so as to empower, authorize, and require that such district attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary in any and all inferior courts located and constituted in the county composing such judicial circuit, creating the office of deputy district attorney for such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of three such deputy district attorneys and for their compensation, and further providing that such compensation shall be paid out of the general fund of the county.

Also:

H. 1051. To repeal Act No. 326, H. 775, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 809), entitled, "An Act Relating to all judicial circuits of the State of Alabama composed of only one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census; authorizing the solicitor of said circuit to appoint a Deputy Circuit Solicitor and providing for the payment of said Deputy Circuit Solicitor's compensation from the general funds of the county constituting such circuit."

Also:

H. 483. To fix the compensation of the deputy solicitor of Greene County.

Also:

H. 484. Authorizing compensation for clerical assistants for the tax assessor of Greene County and providing payment of such compensation out of county funds.

Also:

H. 485. To amend the title and Section 1 of Act No. 165, H. 543, Regular Session 1965 (Acts 1965, p. 232), which act provides for the fixing of per diem pay for members of the board of equalization of certain counties classified on a population basis.

Also:

H. 486. To amend the title and Section 1 of Act No. 8, H. 95, Special Session 1969 (Acts 1969, p. 21), which act provides for additional meetings of the county commission and for additional compensation and expense allowances for the members of said body, including the chairman or presiding judge of certain counties classified on a population basis.

Also:

H. 487. To amend the title and section 1 of Act No. 628, H. 1022, Regular Session 1965 (Acts 1965, p. 1150), which act provides a clerk-hire allowance for certain officers of certain counties classified on a population basis.

Also:

H. 488. To amend the title and Section 1 of Act No. 395, H. 1023, Special Session 1969 (Acts 1969, p. 771), which act provides for increasing the salary of the deputy solicitor of certain counties classified on a population basis.

Also:

H. 489. To amend the title and Section 1 of Act No. 21, H. 71, Third Special Session 1965 (Acts 1965, p. 227) which act authorizes the county commission in certain counties classified on a population basis to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the Federal Economic Opportunity Act of 1964.

Also:

H. 574. Relating to counties having populations of not less than 18,500 nor more than 20,500, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 646. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; authorizing the probate judge to appoint a chief clerk and an assistant probate clerk, providing for their compensation, and fixing the amount of the official bond of the chief clerk.

Also:

H. 647. Relating to Counties having a population of not less than 16,245 nor more than 16,300, according to the most recent federal decennial census; providing for the appointment of clerical assistants by the Tax Assessor, Tax Collector and Circuit Clerk.

Also:

H. 849. Relating to counties having populations of 10,660 or less; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 212. Relating to boards of registrars in counties having populations of not less than 10,660 nor more than 10,900, according to the most recent federal decennial census, to provide that such boards shall only be required to hold meetings at the county seat.

Also:

H. 213. To provide an additional expense allowance for the Probate Judge for counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census.

Also:

H. 663. To authorize the Chilton County Commission to pay Eulene Littleton for the damages done to her car by a washed-out bridge in Chilton County on March 15, 1970.

Also:

H. 776. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing conflicting laws.

Also:

H. 847. To amend Section 13 of Act No. 872, H. 1118, Regular Session 1951 (Acts 1951, p. 1505), which act established the Board of Revenue and Control of Chilton County by eliminating the requirement for publication of minutes of the meetings of said Board.

Also:

H. 848. To further amend Section 11 of Act No. 471 of the Alabama Legislature, approved November 13, 1959 (Acts of Alabama 1959 Regular Session, pages 1170, et seq.), entitled "An Act to levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties," as heretofore amended by Act No. 55 of the 1963 Second Special Session of the Alabama Legislature, approved April 23, 1963 (Acts of Alabama, 1963, pages 219, et seq.).

Also:

H. 1017. To amend further Act No. 608, H. B. 700, Regular Session 1951, an Act establishing a retirement fund and pension system for policemen and firemen of the City of Anniston (Acts 1950-1951, v. 2, p. 1045), amending such Act relative to retirement benefits, and specifically amending Sections 16, 17 and 18 and repealing Section 19 of said Act.

Also:

H. 1251. Providing that in all counties having a population of not less than 95,000 nor more than 115,000 the Commissioner of Licenses shall collect a fee for taking an affidavit or affidavits when issuing a commercial motor vehicle tag and when making a transfer of any motor vehicle tag.

Also:

H. 1231. Relating to counties having populations of not less than 95,000 nor more than 115,000; providing further for the issuance of certificates of birth and death occurring in such counties; and prescribing penalties.

Also:

H. 1518. To amend the title and Sections 1 and 2 of Act No. 170, H. 15, Special Session 1967 (Acts 1967, p. 217), which abolishes the office of clerk of the jury commission, provides that the circuit court shall perform the duties of the abolished office, and authorizes the county to provide for employment of additional clerical help in certain counties classified on a population basis.

Also:

H. 1433. To amend the title and Section 1 of Act No. 196, H. 213, Special Session 1967 (Acts 1967, p. 243), which authorizes the county commission of certain counties classified on a population basis to appropriate county funds for the relief of persons damaged by county employees or county equipment.

Also:

H. 1434. To amend the title and Section 1 of Act No. 257, H. 773, Regular Session 1969 (Acts 1969, p. 589), which allows a judge to excuse veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present, in certain counties classified on a population basis.

Also:

H. 1435. To amend the title and Section 1 of Act No. 506, S. 554, approved August 22, 1951 (Acts 1951, p. 898), as last amended, which relates to the circuit solicitors of certain judicial circuits composed of two counties, one of which is classified on a population basis.

Also:

H. 1436. To amend the title and Section 1 of Act No. 149, H. 167, Special Session 1969 (Acts 1969, p. 215), which fixes the per diem pay for members of the county board of equalization in certain counties classified on a population basis.

Also:

H. 1437. To amend the title and Section 1 of Act No. 135, H. 436, Regular Session 1969 (Acts 1969, p. 409), which fixes the fee for issuance of a pistol permit by the sheriff and provides for the distribution and use of such fees, in certain counties classified on a population basis.

Also:

H. 1438. To amend the title and Section 1 of Act No. 253, H. 756, Regular Session 1969 (Acts 1969, p. 585), which provides for the condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer and provides for the disposition of the proceeds of the sale thereof, in certain counties classified on a population basis.

Also:

H. 1439. To amend the title and Section 1 of Act No. 118, S. 73, Special Session 1962 (Acts 1962, p. 152), which authorizes the licensing and regulation of and hunting on certain privately owned hunting preserves; prescribes fees for such license; provides for collection and distribution of such fees, and penalties for violations of this Act, in certain counties on a population basis.

Also:

H. 1441. To amend the title and Section 1 of Act No. 192, S. 77, Special Session 1969 (Acts 1969, p. 254), which provides for the appointment, duties, and authority of an assistant chief clerk in the office of the judge of probate; to provide bonding, and provide for compensation, in certain counties classified on a population basis.

Also:

H. 1442. To amend the title and Section 1 of Act No. 150, H. 168, Special Session 1969 (Acts 1969, p. 216), which provides for the establishment of a work schedule for firemen; provides maximum per week work hours for firemen with exceptions in certain emergencies; provides for the determination of when an emergency exists, and provides for organization of the fire department into platoons, in certain cities classified on a population basis.

Also:

H. 1443. To amend the title and Section 1 of Act No. 67, H. 56, 1st Special Session 1956 (Acts 1956, p. 99), as last amended, which abolishes the fine and forfeiture funds for certain counties on a population basis.

Also:

H. 1444. To amend the title and Section 1 of Act No. 491, S. 413, approved September 10, 1957 (Acts 1957, p. 678), as last amended, which further regulates the alteration and extension of the corporate limits and boundaries of incorporated municipalities in certain counties on a population basis.

Also:

H. 1445. To amend the title and Section 1 of Act No. 73, H. 219, Regular Session 1967 (Acts 1967, p. 407), which provides that the county commission of certain counties classified on a population basis shall be authorized to expend county funds in an amount for advertising and paying moral obligations, and to provide for retroactive effect.

Also:

H. 1446. To amend the title and Section 1 of Act No. 492, S. 414, Regular Session 1957 (Acts 1957, p. 681), as last amended, which relates to immediate operation of the laws and ordinances of any city or town as to territory annexed to such city or town in certain counties on a population basis.

Also:

H. 1447. To amend the title and Section 1 of Act No. 183, H. 364, Regular Session 1961 (Acts 1961, p. 225), as last amended, which authorizes the establishment of branch banks in certain counties on a population basis.

Also:

H. 1448. To amend the title and Section 1 of Act No. 148, H. 166, Special Session 1969 (Acts 1969, p. 215), which fixes the compensation of members of the jury commission in certain counties classified on a population basis.

Also:

H. 1449. To amend the title and Section 1 of Act No. 175, H. 460, Regular Session 1965 (Acts 1965, p. 246), as last amended, which provides further for the compensation and authority of coroners of certain counties classified on a population basis.

Also:

H. 1450. To amend the title and Section 1 of Act No. 41, H. 110, Regular Session 1967 (Acts 1967, p. 369), which fixes the compensation of certain county officers in certain counties classified on a population basis.



Also:

H. 1452. To amend the title and Section 1 of Act No. 179, H. 98, Special Session 1969 (Acts 1969, p. 244), which provides for the appointment of an Assistant Chief Clerk in the office of the Judge of Probate of certain counties classified on a population basis; to define his duties and authority; to direct the filing of a bond and provide for the compensation of such position.

Also:

H. 1453. To amend the title and Section 1 of Act No. 151, H. 169, Special Session 1969 (Acts 1969, p. 218), which regulates the compensation of and provides for the payment of additional compensation to members of the board of registrars of certain counties classified on a population basis.

Also:

H. 1454. To amend the title and Section 1 of Act No. 177, H. 433, Regular Session 1969 (Acts 1969, p. 485), which authorizes the county governing body to provide clerk hire allowances for the county solicitor or deputy district attorney in certain counties classified on a population basis.

Also:

H. 1455. To amend the title and Section 1 and 2 of Act No. 693, H. 955, Regular Session 1967 (Acts 1967, p. 1518), which provides for the allocation of the duties of the chairman and members of the city commission of certain cities in counties classified on a population basis, and provides for their compensation.

Also:

H. 1456. To amend the title and Section 1 of Act No. 237, H. 236, Special Session 1966 (Acts 1966, p. 360), which provides for participation of county employees in the Employees' Retirement System of Alabama in certain counties classified on a population basis.

Also:

H. 1457. To amend the title and Section 1 of Act No. 1003, S. 825, Regular Session 1969 (Acts 1969, p. 1878), which provides for the payment of salary and expenses of an investigator appointed by the district attorney in certain counties classified on a population basis.

Also:

H. 1458. To amend the title and Section 1 of Act No. 935, H. 1349, Regular Session 1969 (Acts 1969, p. 1672), which provides for the payment of salary and expenses of an investigator appointed by the district attorney of certain counties classified on a population basis.

Also:

H. 1459. To amend the title and Section 1 of Act No. 272, H. 13, Regular Session 1965 (Acts 1965, p. 385), which provides for the substitution of other books or texts for the textbooks on the list of state approved or state-adopted textbooks in certain counties classified on a population basis.

Also:

H. 201. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Chilton County; and the regulation of costs and charges of courts in said county.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1460. To amend the title and Section 1 and 2 of Act No. 236, H. 905, Regular Session 1965 (Acts 1965, p. 340), which authorizes county commissions to provide clerk hire allowances for certain courts in certain counties classified on a population basis.

Also:

H. 1461. To amend the title and Section 1 of Act No. 412, H. 906, Regular Session 1965 (Acts 1965, p. 601), which authorizes city Boards of Education in certain counties classified on a population basis to enter into agreements with the appropriate federal agencies for the operation of schools located on federal military bases adjoining cities having such boards and to operate said schools as if they were in a separate school district, pursuant to those agreements.

Also:

H. 1462. To amend the title and Section 1 of Act No. 446, S. 469, Regular Session 1965 (Acts 1965, p. 649), which prohibits the commissioner of licenses in certain counties classified on a population basis from charging or collecting any fees for administering oaths or acknowledging affidavits.

Also:

H. 1463. To amend the title and Section 1 of Act No. 35, H. 3, 2nd Special Session 1963 (Acts 1963, p. 205), which prohibits the probate judge from charging or collecting any fee or compensation for administering an oath or taking or acknowledging an affidavit, in certain counties on a population basis.

Also:

H. 1464. To amend the title and Section 1 of Act No. 94, H. 238, Second Special Session 1965 (Acts 1965, p. 127), which further regulates the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibits the sale of fish so taken in certain counties on a population basis.

Also:

H. 1465. To amend the title and Section 1 of Act No. 66, H. 19, Special Session 1966 (Acts 1966, p. 90), which regulates and provides for the payment of compensation of election officers in certain counties classified on a population basis.

Also:

H. 1466. To amend the title and Section 1 of Act No. 92, H. 232, Second Special Session 1965 (Acts 1965, p. 125), which provides an optional plan by which the county commission of certain counties classified on a population basis may establish two or more voting places within an election precinct; directs the grouping of names of qualified voters within such precinct and the assignment of said voters to a voting place; and requires the publication of such group-lists and the accompanying assignments.

Also:

H. 1467. To amend the title and Section 1 of Act No. 67, H. 20, Special Session 1966 (Acts 1966, p. 80), which regulates the compensation of jurors in certain counties classified on a population basis.

Also:

H. 1468. To amend the title and Section 1 of Act No. 479, H. 461, Regular Session 1965 (Acts 1965, p. 693), which provides expense allowances for coroners in certain counties classified on a population basis.

Also:

H. 1469. To amend the title and Section 1 of Act No. 235, H. 904, Regular Session 1965 (Acts 1965, p. 339), which provides further for redeeming land sold for taxes, transfers certain duties of the probate judge to the tax collector of certain counties classified on a population basis.

Also:

H. 1470. To amend the title and Section 1 of Act No. 69, H. 26, Special Session 1966 (Acts 1966, p. 92), which authorizes the county commission of certain counties classified on a population basis to appropriate and expend county funds for the purpose of providing contribution to non-profit Community Action Committee board, and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

Also:

H. 1471. To amend the title and Section 1 of Act No. 127, H. 235, Special Session 1966 (Acts 1966, p. 162), which regulates the compensation of bailiffs serving the circuit courts of certain counties classified on a population basis.

Also:

H. 1472. To amend the title and Section 1 of Act No. 176, H. 463, Regular Session 1965 (Acts 1965, p. 247), as last amended, which regulates the compensation and allowances of members of boards of education in certain counties classified on a population basis.

Also:

H. 1473. To amend the title and Section 1 of Act No. 105, S. 251, Regular Session 1965 (Acts 1965, p. 165), which empowers the judge of probate to try inquisitions of lunacy with or without a jury; prescribes the manner of impaneling jurors where a jury trial is demanded in certain counties classified on a population basis.

Also:

H. 1474. To amend the title and Section 1 of Act No. 456, H. 493, Regular Session 1967 (Acts 1967, p. 1148), which regulates the compensation of the judges of the juvenile and domestic relations courts in certain counties classified on a population basis.

Also:

H. 1476. To amend the title and Section 1 of Act No. 442, H. 192, Regular Session 1967 (Acts 1967, p. 1115), which provides further for the compensation of the chairman and members of the county commission, repeals conflicting laws in certain counties classified on a population basis.

Also:

H. 1477. To provide further for the Court Reporters salary in all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

Also:

H. 1478. To amend the title and Section 1 of Act No. 197, H. 262, Special Session 1964 (Acts 1964, p. 260), which provides for the office, appointment, tenure, and compensation of a chief bailiff of the circuit courts of certain counties on a population basis.

Also:

H. 1479. To provide for an expense allowance for the Tax Assessor, Tax Collector, Probate Judge, Circuit Court Clerk, Chairman of the County Commission, Judge of County Court and Register in Equity, Judge of Juvenile Court, Commissioner of Licenses, and Associate Commissioners in all counties having populations not less than 95,000 nor more than 115,000 according to the most recent federal decennial census.

Also:

H. 1480. To amend the title and Section 1 of Act No. 1003, S. 825, Regular Session 1969 (Acts 1969, p. 1878), which provides for the payment of salary and expenses of an investigator appointed by the district attorney in certain counties classified on a population basis.

Also:

H. 1196. To amend the title and Section 1 of Act No. 182, H. 78, Special Session 1961 (Acts 1961, p. 2154), which Act further regulates the compensation and allowances of members of the Board of Registrars of certain counties classified on a population basis.

Also:

H. 1197. To amend the title and Section 1 of Act No. 248, H. 595, Regular Session 1969 (Acts 1969, p. 580), which Act provides for the selection of text books and instructional materials for use in the public schools in certain counties classified on a population basis.

Also:

H. 1198. To amend the title and Section 1 of Act No. 455, H. 470, Regular Session 1967 (Acts 1967, p. 1147), which Act provides for the compensation of the members of the board of equalization in certain counties classified on a population basis.

Also:

H. 1199. To amend the title and Section 1 of Act No. 270, H. 74, Special Session 1966 (Acts 1966, p. 410), which Act authorized the sheriff to employ additional deputies fixing their powers and duties and providing for their compensation in certain counties classified on a population basis.

Also:

H. 1200. To amend the title and Section 1 of Act No. 183, H. 79, Special Session 1961 (Acts 1961, p. 2155), which Act further regulates the compensation and allowances of members of the board of equalization of certain counties classified on a population basis.

Also:

H. 1201. To repeal Act No. 171, S. 91, approved, July 16, 1962, Special Session 1962 (Acts of Alabama 1962, p. 217) entitled, "An Act To prohibit sheriffs and their deputies in all counties in this state having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census, for making arrests for violations of laws, ordinances, and duly promulgated rules and regulations prescribing speed limits for motor vehicles on evidence obtained by use of radar or other technical devices for measuring speed of passing vehicles unless drivers are given notice in the manner, prescribed in this Act, that such devices are in use."

Also:

H. 1202. To repeal Act No. 181, H. 77, approved, September 15, 1961, Special Session 1961 (Acts of Alabama 1961, p. 2154) entitled, "An Act To provide an additional expense allowance for the members of the County Board of Education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census."

Also:

H. 1203. To repeal Act No. 915, H. 1301, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1646) entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 no more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

Also:

H. 1204. To amend the title and Section 1 of Act No. 438, H. 788, Regular Session 1969 (Acts 1969, p. 873), which Act authorizes the county governing body to fix the amount and prescribe the manner of compensating the members of the jury commissions in certain counties classified on a population basis.

Also:

H. 1205. To amend the title and Section 1 of Act No. 195, H. 208, Special Session 1967 (Acts 1967, p. 242), which Act provides for payment of additional expense allowances to the chairman and members of the governing body of certain counties classified on a population basis.

Also:

H. 1206. To amend the title and Section 1 of Act No. 654, H. 879, Regular Session 1967 (Acts 1967, p. 1475), which Act provides for expense allowances for coroners in certain counties classified on a population basis.

Also:

H. 1207. To amend the title and Section 1 of Act No. 380, H. 938, Regular Session 1969 (Acts 1969, p. 751), which Act provides an additional expense allowance for the members of the county board of education in certain counties classified on a population basis.

Also:

H. 1208. To amend the title and Section 1 of Act No. 137, H. 457, Regular Session 1969 (Acts 1969, p. 410), which Act provides for an expense allowance for the judge of the county court in certain counties classified on a population basis.

Also:

H. 1209. To amend the title and Section 1 of Act No. 144, H. 165, Special Session 1967 (Acts 1967, p. 194), which Act authorizes the county commission to appropriate funds from the general fund for the purpose of employing clerical help in certain counties classified on a population basis.

Also:

H. 1210. To amend the title and Section 1 of Act No. 439, H. 789, Regular Session 1969 (Acts 1969, p. 875), which Act authorizes the county commission to appropriate county funds to establish a contingent fund; and providing for the use of such funds in certain counties classified on a population basis.

Also:

H. 1211. To amend the title and Section 1 of Act No. 380, H. 938, Regular Session (Acts 1969, p. 751), which Act provides an additional expense allowance for the members of the county board of education in certain counties classified on a population basis.

Also:

H. 1212. To amend the title and Section 1 of Act No. 1203, H. 1449, Regular Session 1969, (Acts 1969, p. 2245), which Act provides for the taxing of additional court cost on misdemeanors in certain counties classified on a population basis.

Also:

H. 1213. To amend the title and Section 1 of Act No. 82, H. 81, Special Session 1967 (Acts 1967, p. 114), which Act authorizes the county commission to appropriate funds from the Highway Traffic Funds or other funds in the county treasury for law enforcement purposes, including the payment of deputy salaries, in certain counties classified on a population basis.

Also:

H. 1221. Relating to Lee County: To abolish the offices of county solicitor and deputy circuit solicitor or deputy district attorney, however designated, for such county, and to require the district attorney of the Thirty-seventh Judicial Circuit to represent the State of Alabama and Lee County in all proceedings in which the county solicitor or deputy circuit solicitor or deputy district attorney, however designated, were formerly required by law to represent the State or the county.

Also:

H. 1222. Providing a method for issuing motor vehicle tags by mail in Colbert County by the Judge of Probate.

Also:

H. 1232. Relating to Shelby County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal night-time deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

Also:

H. 1237. To authorize the county governing body of St. Clair County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

### REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution with the original Senate Bills and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. J. R. 75. Congratulating McDowell Lee, Secretary of the Senate, on the birth of a son.

Also:

S. 132. To regulate further the summoning of witnesses in Tuscaloosa County; to provide that witnesses may be subpoenaed by United States mail in Tuscaloosa County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

Also:

S. 505. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 110,000 nor more than 160,000.

Also:

S. 478. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 150,000 people and not more than 180,000 people and for municipalities in such counties having a population of 5,000 or more people, all according to the last or any subsequent Federal Census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the Board and for the selection and compensation of its members, providing for the continued service of any board presently serving under any prior Act of the Legislature; providing for the selection, powers, duties and compensation of the personnel director; to require certification of county, municipal, public corporation, board and commission payrolls; making it a misdemeanor to violate the provisions of the Act; repealing all laws or parts of laws inconsistent with the provisions hereof, and providing for an effective date of this Act.

Also:

S. 532. To amend further Section 768 of Title 37, Code of Alabama 1940, as amended, relating to municipal planning commissions in all cities having populations of not less than 175,000 nor more than 275,000 according to the most recent federal decennial census.

Also:

S. 457. To set up an Alabama Health Care Plan; to provide health care insurance for those Alabama citizens not otherwise able to obtain such protection; to allow insurance companies, on a non-profit basis, to organize for the purpose of offering health insurance under the provisions of the plan; to establish, through the Superintendent of Insurance, premium rates and expense provisions; to provide relief from premium tax and recoupment of losses through premium tax exemptions to insurers; to provide for rules and regulations and penalties for those persons wilfully misrepresenting material facts in order to qualify under the provisions of the plan; to provide for the examination of companies and employment of special persons, at no expense to the State, to assist the Superintendent of Insurance in implementation of the plan.

Also:

S. 534. To amend the Title and Section 1 of Act No. 227, H. 137, Special Session 1964 (Acts 1964, p. 313), which provides civil service or merit system status for Chiefs of Police of certain cities classified on a population basis.

Also:

S. 802. To transfer certain historic properties owned by the Conservation Department of the State of Alabama to the Alabama Historical Commission.

JAMES S. CLARK,  
Chairman.



## SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

## INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Owen:

S. 1236. Relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the tax assessor to employ a clerk to perform duties imposed on the tax assessor under Code of Alabama 1940, Title 51, Sections 66, 67, and 68.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1237. To amend Section 1 of Act No. 773, S. 621, Approved September 11, 1951, pertaining to the creation in all cities in the State of Alabama, having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Municipal Employees Pension and Relief Funds", so as to make said act applicable only in cities having a population of not less than 150,000, nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

Committee on Local Legislation No. 1.

By Mr. McLain:

S. 1238. To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the 1971 regular session of the Legislature of Alabama, a bill, substantially as follows, will be introduced and application for its passage and enactment will be made.

A BILL  
TO BE ENTITLED  
AN ACT

To alter the boundary lines of the City of Huntsville, Madison County, Alabama, so as to include within the corporate limits of said City, all territory described below.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Huntsville, Madison County, Alabama, be, and the same are altered or rearranged to as to include within the corporate limits of said City of Huntsville all

territory now within such corporate limits and also certain other territory in Madison County, Alabama, such said other certain territory is more particularly described as being all of the territory lying within the County of Madison, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

All that part of the Southwest Quarter of Section 11, Township 4 South, Range 1 West, in the City of Huntsville, Madison County, Alabama, particularly described as beginning at a point on the South margin of Ridgecrest Avenue, said point being located North 89 degrees 00 minutes East 2513.3 feet and South 1461.15 feet from the center of the West boundary of said Section 11, Township 4 South, Range 1 West; thence from the place of beginning South 1165.65 feet; thence south 88 degrees 32 minutes West 1291.87 feet to a point on the South margin of Ridgecrest Avenue; thence along the South margin of said Ridgecrest avenue and around a curve to the left the chord bearing and distance of which is North 52 degrees 47 minutes East 127.00 feet to a point of tangent; thence continuing along the South margin of said Ridgecrest Avenue North 46 degrees 42 minutes East 1635.80 feet to the place of beginning and containing 17.03 acres, more or less.

Section 2. That all laws and parts of laws, both general, special and local, in conflict with this Act be, and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### STATE OF ALABAMA MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared Charles B. O'Reilly, Jr. known to me, who being by me first duly sworn, deposes and says he is Advertising Director of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on August 7, 14, 21 and 23, 1971.

CHARLES B. O'REILLY, JR.,  
Advertising Director.

Sworn to and subscribed before me this the 23 day of August, 1971.

OPAL H. DILWORTH,  
Notary Public.

My commission expires April 9, 1975.

By Mr. McLain:

S. 1239. To amend Sections 1 and 3 of Act No. 774, S. 626, of the 1951 Regular Session of the Legislature of Alabama, approved September 11, 1951, pertaining to the creation in all cities in the State of Alabama having a population of not less than 110,000 and not more than 250,000, according to the preliminary count of the 1950 Federal Census or any subsequent Regular Decennial Census, special funds to be known as "Policemen's and Firemen's Pension and Relief Funds" so as to make said Act apply only to cities having a population of not less than 150,000 nor more than 250,000, according to the 1970 or any subsequent Federal Decennial Census.

Committee on Local Legislation No. 1.

By Mr. Hammond:

S. 1240. To alter or re-arrange the boundary lines of the Town of Valley Head, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To alter or re-arrange the boundary lines of the Town of Valley Head, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Valley Head, DeKalb County, Alabama, be, and the same are hereby altered or rearranged so as to include within the corporate limits of said town all territory lying within the following described lands, to-wit:

Beginning at the Northwest corner of Section 29, Township 5 South, Range 10 East of the Huntsville Meridian run East along the North Section Line to the Northeast corner of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section; thence run Southeasterly to the Southeast corner of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section; thence run East on the forty line to the NE corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; thence run South along the Section Line to the SE corner of NE $\frac{1}{4}$  of the SE $\frac{1}{4}$ ; thence run in a Southwesterly direction to the SW corner of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 29, Township 5 South, Range 10 East; thence run South on the Forty Line to the Southeast Corner of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 32, Township 5 South, Range 10 East; thence run in a Southwesterly direction to the Southwest corner of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$ ; thence run West along the South Section Line to the SW corner of Section 32, Township 5 South, Range 10 East; thence run North 61 degrees 52 minutes West 2,037.6 feet to the center line of the county road from Valley Head to Fort Payne; thence run South 30 degrees 38 minutes West along the center of said road a distance of 405.8 feet and to the South line of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 31; thence run West to the SW corner of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 31; thence run North on the Forty Line to the Northwest corner of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$ ; thence run Northeasterly to NE corner of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; thence run North to the NW corner of the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 30, Township 5 South, Range 10 East; thence run East to the SE corner of NW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; thence run North 3,080 feet to a point on the East Line of the NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; thence run North 88 deg. 00 min. East 734.9 feet; thence run North 1 deg. 50 min. East 859 feet, more or less, to the North line of said Section 30; thence run East with the North Line of Section 30 to the point of beginning.

Said lands lying and being situated in Sections 29, 30, 31, and 32 all in Township 5 South, Range 10 East, DeKalb County, Alabama.

Section 2. That all laws and parts of laws, both general and special and local and conflict with this Act be, and the same are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA  
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County in said State this day personally appeared Jerry E. Whittle who being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issue of said paper on July 29, August 5, August 12, and August 19, all in the year 1971.

JERRY E. WHITTLE,  
General Manager.

Sworn to and subscribed before me on this the 19th day of August, 1971.

DEENA KEITH,  
Notary Public.

My Commission Expires: 8-9-73.

By Mr. Cooper:

S. 1241. Relating to Wilcox County; to make it unlawful to kill, take or catch fish from the public waters of said county by the use of gill nets; and to prescribe the penalties for any person, firm or corporation who violates the provisions of this Act.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Wilcox County: to make it unlawful to kill, take or catch fish from the public waters of said county by the use of gill nets, trammel net, fyke net, hoop net and other types of nets; and to prescribe the penalties for any person, firm or corporation who violates the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful in Wilcox County, Alabama, for any person, firm or corporation to take, catch or kill, or attempt to take, catch or kill any species of fish in the public waters of said county by the use of any type of net, including but not limited to gill, nets, fyke nets, trammel nets, hoop nets and seines, except a legal minnow seine.

Section 2. Any person, firm or corporation violating Section 1. of this Act shall be guilty of a misdemeanor and upon conviction shall be punish by a fine of not less than two hundred fifty dollars nor more than Five Hundred Dollars, and in addition thereto all fishing gear described in Section 1 of this Act used in connection with the commission of such misdemeanor, if the owner by unknown, shall be seized and confiscated and shall become the property of the local county or state agency seizing same and shall be disposed of as ordered by such agency; and if the owner of such fishing gear as described in Section 1 of this Act used in connection with the commission of such misdemeanor be known, such gear shall be disposed of as ordered by the court having jurisdiction thereof.

Section 3. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF WILCOX

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. HOLLIS CURL, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the WILCOX PROGRESSIVE ERA, a newspaper of general circulation published in WILCOX County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on AUGUST 5, AUGUST 12, AUGUST 19, and AUGUST 26, all in the year 1971.

M. HOLLIS CURL.

Sworn to and subscribed before me Aug. 25, 1971.

GLEND A. CURL,  
Notary Public.

By Mr. Cooper:

S. 1242. To amend Sections 2, 3, and 4 of Act No. 177, H. 418 Regular Session 1945 (Local Acts 1945 p. 91) which Act established the Board of Directors of Conecuh County, by prescribing the qualifications of the members of said board, their terms of office and manner of their election.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

## LEGAL

STATE OF ALABAMA  
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend Sections 2, 3, and 4 of Act No. 177, H. 418 Regular Session 1945 (Local Acts 1945 p. 91) which Act established the Board of Directors of Conecuh County, by prescribing the qualifications of the members of said board, their terms of office and manner of their election.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 177, H. 418, Regular Session 1945, is hereby amended to read as follows:

"Section 2. For the purposes of this Act, Conecuh County is hereby divided into two districts, each of which shall be composed of several Beats as presently numbered and constituted. District One shall comprise Beats numbered one, two, three, four, eleven, twelve and fifteen. District Two shall comprise Beats numbered five, six, seven, eight, nine ten, thirteen, fourteen and sixteen."

Section 2. Section 3 of Act No. 177, H. 418, Regular Session 1945, is hereby amended to read as follows:

"Section 3. The chairman of the Board of Directors of Conecuh County shall be a qualified elector of the county and shall be elected by the electors of the county at large. Two of the associate members of the board shall be residents and qualified electors of each district, as prescribed in Section 2 of this Act, but shall be elected by the electors of the county at large for four places on said board. Candidates qualifying for places numbered one and two, shall be residents and qualified electors of District One. Candidates qualifying for places numbered three and four shall be residents and qualified electors of District Two."

Section 3. Section 4 of Act No. 177, H. 418, Regular Session 1945, is hereby amended to read as follows:

"Section 4. The chairman of the Board of Directors of Conecuh County shall be elected as provided herein at the general election held in 1972, and his term shall begin on the first Monday after the second Tuesday in January next following his election and shall expire 4 years thereafter. The members of the board for Place No. 1, District 1, and Place No. 4, District 2, shall be elected at the general election held in 1972, and shall each serve a 4 year term beginning on the first Monday after the second Tuesday in January next following after their election. The member for Place No. 3, District 2, shall be elected at the general election held in 1972, and shall serve for a two year term, as provided herein and his successor shall serve for a 4 year term. The member for Place No. 2, District 1 shall be elected at the general election held in 1974 and shall serve a term of four years. The present chairman and members of the board shall remain in office until the current terms of their respective places shall expire, as provided herein. The chairman shall be E. L. McInnis, and the members as follows: W. W. Cook, District 1, Place 1; Dempsey McNeil, District 1, Place 2; W. E. Godwin, District 2, Place 3; and C. Leroy Smith, District 2, Place 4."

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 5, August 12, August 19, and August 26, all in the year 1971.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me August 26, 1971.

HAROLD ADAMS,  
Notary Public.

My commission expires April 7, 1973.

By Mr. Carr:

S. 1243. Relating to St. Clair County, authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Moody in said County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Moody in said County.

Be It Enacted by the Legislature of Alabama:

Section 1. When permitted by its charter and by-laws, and approved by the State Banking Department and the Federal Deposit Insurance Corporation, any bank situated in St. Clair County shall be authorized to open, establish, operate and maintain at Moody in said County, a branch bank, branch office or other place of business for the receipts of deposits, payment of checks, and conducting a general banking business.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 4, August 11, August 18 and August 25, 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me this 25th day of August, 1971.

ANNE T. MILAN,  
Notary Public.

By Mr. Wilson:

S. 1244. Authorizing the county commission in all counties having not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent federal decennial census, to make an appropriation of county funds for the relief of Leon W. Richardson to compensate for certain damages.

Committee on Local Legislation No. 1.

By Mr. Littleton:

S. 1245. To provide for the election of members of the County Board of Education of Autauga County, Alabama; to define the school districts from which the members of the County Board of Education are elected.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL

#### STATE OF ALABAMA COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To provide for the election of members of the County Board of Education of Autauga County, Alabama; to define the school districts from which the members of the County Board of Education are elected.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purposes of this Act, and for future election of members of the County Board of Education of Autauga County, said



County is hereby divided into four subdivisions, to be known as Districts, and to be numbered one to four, inclusive. District No. 1 shall embrace and be composed of voting precinct number 1. District No. 2 shall be composed of voting precincts numbers 3 and 4. District No. 3 shall be composed of voting precincts numbers 6, 7, 8, and 9. District No. 4 shall be composed of voting precincts numbers 10 and 11.

Section 2. After this Act takes effect, a member of the Board of Education of Autauga County shall be nominated and elected for each of the several school districts of the County, by the qualified electors of the County at Large, as follows. A member for District No. 1 and a member for District No. 3 shall be elected at the general election in November, 1972, and every six years thereafter; a member for District No. 1 and a member for District No. 4 shall be elected at the general election in November, 1974, and every six years thereafter; and a member for District No. 2 shall be elected at the general election in November, 1976, and every six years thereafter. Each member of the County Board of Education must be a resident and a qualified elector of the district for which he is elected, at the time of his election and during his continuance in office.

Section 3. Members of the school board who are presently serving shall remain in office, until their successors are elected and qualified as provided in Section 2 of this Act.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, August 5, and August 12, all in the year 1971.

NORMAN E. RIDENHOUR.

Sworn to and subscribed before me August 16, 1971.

LINDA H. BREEDLOVE,  
Notary Public.

My Commission Expires Dec. 10, 1974.

By Messrs. Pelham, Branyon, Jones, Owen, Cook, King, Foshee, Littleton, Noonan, Harris, Fine, Register, Vacca, Givhan, Lybrand, Clark, O'Bannon, Dozier, Cooper, Horne, Hawkins, Carr, Hammond, Shelby and Malone:

S. 1246. To prohibit the denial of admission of any child to any public school in this State under certain conditions.

Committee on Commerce, Transportation  
and Common Carriers.

By Messrs. Noonan, Pelham, Edington, Cooper, Dozier and Jones:

S. 1247. To provide for an appropriation from the Special Educational Trust Fund to the use of the Marine Environmental Sciences Consortium for the purposes of the Act creating the Consortium.

Committee on Finance and Taxation.

By Mr. Foshee:

S. 1248. To amend Sections 5 and 31 of an Act approved May 25, 1945, as shown by a local act of 1945 beginning on page 23 and entitled, "An Act to abolish the Court of County Commissioners of Covington County, Alabama, and to create a Court of Record to be called "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their terms of office; to prescribe the personal, political and geographical qualifications of the president and each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county, shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond, payable to the county, for the performance of their duties, to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses, and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed, by providing in Section 5 thereof that the President of said Board and each Associate Member thereof shall be qualified elector of Covington County and shall be elected from the County at large. Each district as established in Section 3 of said Act shall be entitled to a Member on said Board and each candidate for election as an Associate Member of said Board upon qualification for election as such Associate Member of such Board shall specify at the time of his or her qualification the designated district for which he or she seeks election. And by further providing in Section 31 of said Act that the amount of such money appropriated to the contingent fund as provided by said Section be increased from One Thousand Dollars (\$1,000.00) to Fifteen Hundred Dollars (\$1500.00) and further providing that said Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

#### STATE OF ALABAMA COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To amend Sections 5 and 31 of an Act approved May 25, 1945, as shown by a local act of 1945 beginning on page 23 and entitled, "An Act To abolish the Court of County Commissioners of Covington County, Alabama, and to create a Court of Record to be called 'The Board of Revenue of Covington County,' consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their terms of office; to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary, and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county, shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond, payable to the county, for the performance of their duties, to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses, and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed," by providing in Section 5 thereof that the president of said Board and each Associate Member thereof shall be qualified elector of Covington County and shall be elected from the County at large. Each district as established in Section 3 of said Act shall be entitled to a member on said Board and each candidate for election as an Associate Member of said Board upon qualification for election as such Associate Member of such Board shall specify at the time of his or her qualification the designated district for which he or she seeks election. And by further providing in Section 31 of said Act that the amount of such money appropriated to the contingent fund

as provided by said Section be increased from One Thousand Dollars (\$1,000.00) to Fifteen Hundred Dollars (\$1500.00) and further providing that said Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

Be It Enacted by the Legislature of Alabama:

Section 1: Sections 5 and 31 of an Act approved May 25, 1945, Local Acts of 1945 beginning at page 23 entitled an Act, "To abolish the Court of County Commissioners of Covington County, and to create a Court of Record to be called, "The Board of Revenue of Covington County," consisting of a president, who shall be elected by the voters of the whole county, and four associate members, one of whom shall be elected from each district of the county, which the Act divides into four districts; to name the president and associate members of the board pending election, to provide for their election at the General Election in 1948, and every four years thereafter, and to fix their terms of office; to prescribe the personal, political and geographical qualifications of the president and of each associate member of said board; to direct that vacancies on said board shall be filled by appointment of the Governor, who shall observe the qualifications prescribed herein; to prescribe the duties, powers, authority, jurisdiction and responsibility of the president, president pro tempore, each associate member of the board, and of such board as a whole; to fix a regular meeting date for said board; to authorize special meetings and to direct how they shall be called; to prescribe a quorum for each such meeting; to provide for allocations of county funds to each district and for withdrawal thereof; to provide for the appointment of a board clerk and treasurer and to prescribe their duties, salary and period of employment; to provide for an annual salary to be paid the president and each associate member of the board in lieu of all other compensation and allowances except that they, the clerk, county road supervisor and all other employees, while out of the county, shall be paid certain expenses; to provide that the president and each associate member of the Board, the clerk, the treasurer, road supervisor, and such other employees of the county as the board shall designate, shall give a bond, payable to the county, for the performance of their duties; to direct the payment of all premiums on bonds herein required; to determine and to authorize a determination from what county funds all salaries, compensations, wages, allowances and expenses; and bond premiums shall be paid; to fix the effective date of this act; and to provide a saving clause and that all laws or parts of laws in conflict with this Act be repealed, "be and the same are hereby amended so as to read as follows:

"Section 5. QUALIFICATIONS BY AREA: The President of said Board and each Associate Member thereof shall be qualified electors of Covington County and shall be elected from the county at large. Each district as established in Section 3 hereof shall be entitled to a member on said Board and each candidate for election as an associate member of said Board upon qualification for election as such associate member of such board shall specify at the time of his or her qualification the designated district for which he or she seeks election.

Section 31. CONTINGENT FUND: The Board is hereby authorized and empowered to appropriate annually out of the moneys in the county Treasury not otherwise appropriated the sum of Fifteen Hundred Dollars (\$1500.00), to be known and called the "contingent fund", out of which any donation or expense may be paid that in the judgment of the Board are worthy and for the best interest of the County."

Section 2. This act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA

COUNTY OF COVINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannelly, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 5, August 12, August 19, and August 26, all in the year 1971.

ED DANNELLY.

Sworn to and subscribed before me August 26, 1971.

LORA JONES,  
Notary Public.

By Mr. Wilson:

S. 1249. Relating to counties having populations of not less than 55,500 inhabitants nor more than 56,500 inhabitants according to the most recent or any subsequent federal decennial census; to regulate the amount of the clerk and sheriff's fees charged by the circuit courts (criminal and civil divisions) and by the intermediate courts (criminal, civil, and equity divisions) and to regulate the amount of certain other fees and costs charged by such courts in counties coming under the provisions of this Act.

Committee on Local Legislation No. 1.

By Mr. O'Eannon:

S. 1250. To amend the title and Section 1 of Act No. 195, S. 424, Regular Session 1967 (Acts 1967, p. 560) which provides further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and which county is classified on a population basis.

Committee on Local Legislation No. 1.

By Mr. Shelby:

S. 1251. To amend Section 1 of Act No. 332, H. 688, Regular Session 1969 (Acts 1969, p. 706) which act provides for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Committee on Local Legislation No. 1.

By Messrs. Horn and Wilder:

S. 1252. To amend Section 1 of Act No. 421, H. 627, Regular Session 1959 (Acts 1959, p. 1113) which act relates to the Fifth Judicial Circuit; Authorizing the circuit solicitor to appoint a stenographic secretary, and providing for the payment of such secretary's compensation by the counties composing the circuit.

Committee on Local Legislation No. 1.

By Mr. Noonan:

S. 1253. To alter, extend and add to the limits of the Town of Satsuma in Mobile County, Alabama so as to include within the corporation limits of said town certain other territory in Mobile County, Alabama, contiguous to said town and to describe the area so added to the said limits of the Town of Satsuma.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

### LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

### A BILL TO BE ENTITLED AN ACT

To alter, extend and add to the limits of the Town of Satsuma in Mobile County, Alabama so as to include within the corporate limits of said town certain other territory in Mobile County, Alabama, contiguous to said town and to describe the area so added to the said limits of the Town of Satsuma.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Satsuma, Mobile County, Alabama, be, and the same are hereby altered, extended and rearranged so as to include within the corporate limits of said town the following described territory, to-wit:

Lots 9, 10 and 11, Block 84 according to map of "Grand Bay Land Company Subdivision of the Northeast Quarter of Section 26, Township 2 South, Range 1 West" as recorded in the Office of the Judge of Probate, Mobile County, Ala., in Deed Book 152, N. S., Page 298-299.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Judy Beasley being sworn, says that she is Bookkeeper of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 23, 30, Aug. 6, 13, 1971.

JUDY BEASLEY,

Sworn to and subscribed before me this 20 day of Aug. 1971.

E. E. KOCH,  
Notary Public.

By Mr. Edington:

S. 1254. To amend Code of Alabama 1940, Title 17, Section 28, which provides for the places where persons may register to vote, so as to provide for registering certain students.

Committee on Judiciary.

## MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the bill:

S. 306. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

And the Speaker of the House has named as Conferees on the part of the House Messrs. Pruitt, Jackson and Mrs. Wynot.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 183. To empower corporations to participate in partnerships and other associations, to repeal inconsistent legislation, to provide that this Act is expressive of existing law and to provide that the provisions of this Act shall be severable.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 305. Establishing, providing for appointment to and operation of Board of Radiologic Technologists Examiners; to provide for educational and training qualification standards for radiologic technologists; to provide for examination and licensing of and annulment or revocation of licenses of radiologic technologists; providing for the enforcement of this Act; providing for and prescribing penalties and fees.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 284. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1972 and September 30, 1973, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera, and African Swine Fever.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1233. To apply in counties having population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census, designating the number of employees authorized by the sheriff's department, compensation of such employees, and sheriff and residence requirements of such employees, and to repeal conflicting laws.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1234. To create and establish the Shelby County Inferior Court; to prescribe its jurisdiction and procedure; to provide for its officers and employees and for their duties, power, qualifications, compensation, and the manner of their appointment or election; and to repeal conflicting laws.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:



By Messrs. Robertson, Adams, Agee, Bank, Barkett, Bassett, Benton, Boles, Boutwell, Brassell, Burgess, Callahan, Carnes, Carter, Casey, Cauthen, Cherner, Chesnut, Collins, Connell, Coshatt, Cottingham, Crawford, Crowe, Culver, Dill, Doss, Downing, Drake, Easters, Edwards, Ellis, Erdreich, Falkenburg, Fite, Flippo, Gafford, Grainger, Gray (F), Grey (D), Hale, Hardin, Harris, Headley, Hill, Hobbie, Jones (E), Jones (F), Kinsey, Lutz, Lyons, McBride, McCorquodale, McDonald, Manley, May, Merrill, Mims, Naramore, O'Daniel, Owens, Parker (H), Parker (T), Pruitt, Reed (T), Reid (R), Roberts, St. John, Slate, Smith (K), Smith (P), Snell, Stewart, Straiton, Stubbs, Taylor, Timmons, Turner, Turnham, Waggoner, Waldrop, Wallace, Warren, Williams, Wise, Wynot:

H. J. R. 172. WHEREAS, our beloved and highly respected Governor will celebrate his fifty-second birthday tomorrow, August 25, 1971; and

WHEREAS, Governor Wallace, who is serving in his fifth year as Governor; and

WHEREAS, Governor Wallace has served the Great State of Alabama for most of his adult life, both at home and on foreign fields; and

WHEREAS, this great and dedicated man began his service to the people of this state and nation in these very chambers as a page and later as a member, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish our beloved Governor and former member the happiest of birthdays, and we heartily extend to him all best wishes for many more birthdays.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Hammond, the Rules were suspended and the Resolution, H. J. R. 172, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Robertson:

H. J. R. 171. WHEREAS, This legislative body finds that the great Auburn University has had to discontinue the Driver Education Program due to the death of their beloved mule.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the sum of two hundred fifty dollars (\$250.00) be appropriated from the Special Education Trust Fund to buy a mule (a gray mule) for the continuation of Auburn University's Driver Education Program.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 171, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

## CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Lybrand, further consideration of the Bill, S. B. 278, was indefinitely postponed by the Senate.

## BILLS ON THIRD READING

The Bill:

H. 759. To provide a form of municipal government to be known as the mayor-council form of government, which may be adopted by any city in the State of Alabama having a population of not less than 30,000 nor more than 33,000 according to the most recent federal decennial census; to provide the method by which any such city may adopt the mayor-council form of government; to provide for the calling and holding of elections to vote thereon; to define and provide the legal status, form of government and powers of any such city under the mayor-council form of government; to provide as the governing body of such city a city council; to provide for the number of members of the council, their election and terms of office; to provide the functions, duties, powers and authority of the city council; to provide for the election, appointment or designation of officers and employees of the city and for their qualifications, duties, functions, powers and authority; to provide for the election, term, qualifications and compensation of a mayor and for the filling of vacancies in the office of mayor and to provide the duties and authority of the mayor; to provide for the control of the finances of such city; to provide for an annual budget, its preparation, submission, and adoption and the effect thereof; to create and define the powers, functions, duties and authority of the department of finance and the director of the department of finance; to regulate purchases and contracts of such city; to provide for the terms and effects of succession in government of any city adopting the mayor-council form of government; to make various other provisions for any such city which adopts the mayor-council form of government and for the government thereof; and to provide for the means of abandoning the mayor-council form of government and the adoption by the city of other forms of municipal government in lieu thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Clark	Hammond	Lybrand	Shelby
Cook	Harris	Malone	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

—25

Nays:

—0

The Bill:

H. 760. To provide that in any election held for the purpose of authorizing a change in the form of government of any city with a

population of not less than 30,000 nor more than 45,000, according to the most recent federal decennial census the electorate of such city shall be entitled to choose at such election between the Commission form of Government, the Mayor Council form of Government and the Council Manager form of Government; To provide for the ballots to be used in any such election, the conduct thereof, the canvass of the vote, and the declaration and certification of the result.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Horne	O'Bannon	Vacca	
Cook	Jones	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 1420. To further regulate the clerk hire allowance of the tax assessor and tax collector in all counties having populations of not less than 24,900 nor more than 25,150 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Gilmore	Lybrand	Pelham	
Branyon	Givhan	McLain	Pierce	
Carr	Hammond	Malone	Register	
Clark	Harris	Noonan	Wilder	
Cook	Hawkins	O'Bannon	Wilson	
Cooper	Horne			—25

Nays: —0

The Bill:

H. 1440. To amend the title and Section 1 of Act No. 460, H. 516, Regular Session 1967 (Acts 1967, p. 1151), which declares the public policy of the State with respect to violation of Section 420, Title 14, Code of Alabama (1940) as amended by an Act approved August 17, 1951 and as further amended by an Act approved July 24, 1953, to determine and declare that the criminal penalties and the remedy at law are inadequate to prevent violation of said statutes to declare that habitual violation of said statutes constitute a legal nuisance, to provide certain exemptions; to prevent unfair competition among merchants through violations of said statutes; to provide for the enforcement by injunction from a court in equity of the provisions of such legal action in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Dozier	Horne	Owen	Weaver	
Edington	King			—25

Nays:

—0

The Bill:

H. 1502. To apply in counties having populations of not less than 17,000 nor more than 20,000 according to the most recent federal decennial census; to legalize racoon hunting in such counties with shotgun and number eight shot; and to prescribe penalties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Vacca	
Cook	Givhan	McLain	Weaver	
Cooper	Hammond	Malone	Wilder	
Dozier	Harris	Owen	Wilson	
Edington	Horne			—25

Nays:

—0

The Bill:

H. 1504. Relating to law enforcement in any County with a population of not less than 34,100 nor more than 34,900 according to the 1970 decennial census; fixing the fee for the issuance of pistol permits; and providing for the deposit of such fees in the county general fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Register	
Bailes	Fine	Littleton	Shelby	
Branyon	Foshee	Malone	Vacca	
Carr	Gilmore	Noonan	Weaver	
Clark	Hammond	O'Bannon	Wilder	
Cook	Hawkins	Owen	Wilson	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 1505. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an additional expense allowance of

## REGULAR SESSION

2511

\$30.00 per month for each member of the county school board of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Shelby	
Branyon	Foshee	Lybrand	Vacca	
Carr	Gilmore	Malone	Weaver	
Clark	Givhan	O'Bannon	Wilder	
Cook	Hammond	Owen	Wilson	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 1506. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an expense allowance of \$150.00 per month to each member of the county commission in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Branyon	Harris	Lybrand	Register	
Clark	Hawkins	Noonan	Shelby	
Cook	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1507. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for a raise in the registrars pay of such counties to \$20.00 per day.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Register	
Bailes	Foshee	Lybrand	Shelby	
Branyon	Gilmore	McLain	Vacca	
Clark	Givhan	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dozier	Horne	Pierce	Wilson	
Edington	King			—25

Nays:

—0

## The Bill:

H. 1508. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an expense allowance of \$1,200.00 per annum for the circuit court clerk to compensate for services rendered to the inferior court.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

## Nays:

—0

## The Bill:

H. 1509. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance of not less than \$600.00 nor more than \$1,600.00 for the assistant district attorney of the inferior court of such counties.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1509, to-wit:

## AMENDMENT TO H. B. 1509

In the title of the bills, delete the following words and figures:

of not less than \$600.00 nor more than \$1,600.00

In Section 1 of the bill, delete the following words and figures:

not less than \$600 nor more than

Which was adopted.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	McLain	Shelby	
Branyon	Hammond	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

## Nays:

—0

And said Bill, H. B. 1509, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Shelby	
Branyon	Foshee	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

*Nays:*

—0

The Bill:

H. 1510. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance of \$4,000 to \$6,000 for the judge of inferior court to be set by the county commissioner of said counties.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1510, to-wit:

#### AMENDMENT TO H. B. 1510

In the title of the bill, delete the following words and figures:  
of \$4,000 to \$6,000

In Section 1 of the bill, delete the following words and figures:  
not less than \$4,000 nor more than  
and insert in lieu thereof the word: of

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Cooper	Harris			—25

*Nays:*

—0

And said Bill, H. B. 1510, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Hammond	Malone	Register	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

*Nays:*

—0

## The Bill:

H. 1570. Relating to counties having a population not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to provide for the payment to the members of the Board of Equalization of such counties an amount in addition to the present present compensation under state law that will equal \$15 per day for the days they attend meetings of the board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Gilmore	Lindsey	Pierce	
Branyon	Givhan	Littleton	Register	
Carr	Harris	Noonan	Shelby	
Clark	Hawkins	O'Bannon	Vacca	
Cooper	Horne	Owen	Wilder	
Dozier	Jones			25

## Nays:

—0

## The Bill:

H. 1571. Relating to counties having a population of not less than 27,000 nor more than 27,900 according to the most recent federal decennial census; to provide further that all items exempt from statewide sales tax shall automatically be exempt from any county sales tax levied in counties to which this act applies.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dominick	Jones	Malone	
Bailes	Dozier	King	Noonan	
Branyon	Fine	Lindsey	Pelham	
Carr	Gilmore	Littleton	Shelby	
Clark	Givhan	Lybrand	Vacca	
Cook	Hammond	McLain	Wilder	
Cooper	Harris			—25

## Nays:

—0

## The Bill:

H. 1597. To authorize the Sumter County Commission to levy and collect a privilege or excise tax on the privilege of selling, using, consuming, distributing, storing or withdrawing from storage in Sumter County malt or brewed beverages; to provide that such tax shall be in addition to all other taxes on such malt or brewed beverage; to prescribe the maximum rate of such tax; to provide for the collection, distribution and use of any tax levied under this act; and to prescribe penalties.

Was read a third time at length and passed.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Pierce	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1598. To repeal Act No. 185, H. 566, approved July 25, 1963, Regular Session 1963 (Acts 1963, p. 569), entitled, "An Act Relating to counties having populations of not less than 27,000 nor more than 30,000; regulating the compensation of the county superintendent of education of such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Harris	O'Bannon	Vacca	
Cook	Horne	Owen	Wilder	
Dominick	Lindsey			—25

Nays:

—0

The Bill:

H. 1599. To repeal Act No. 49, H. 350, approved June 25, 1969, Regular Session 1969 (Acts 1969, p. 342), entitled, "An Act Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Bailes	Hammond	McLain	Register	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 1702. To alter and rearrange the boundary lines of the city of Brewton, Alabama so as to include within the corporate limits of

said city all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said city.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Owen	
Clark	Hammond	Littleton	Pierce	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	McLain	Weaver	
Dominick	Horne	Malone	Wilder	
Dozier	Jones	Noonan	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1717. To amend the title and Section 1 of Act No. 611, H. 754, Regular Session 1967 (Acts 1967, p. 1416), which provides for the appointment of an additional clerk as assistant to the clerk by the circuit court clerk in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Carr	Gilmore	King	Shelby	
Clark	Givhan	Lindsey	Vacca	
Cook	Hammond	Littleton	Weaver	
Cooper	Harris	Lybrand	Wilder	
Dominick	Hawkins	McLain	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1718. To amend the title and Section 1 of Act No. 1182, H. 1320, Regular Session 1969 (Acts 1969, p. 2211), which provides for the qualifications of the superintendent of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Carr	Gilmore	King	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays: —0

## The Bill:

H. 1719. To amend the title and Section 1 of Act No. 63, H. 651, Regular Session 1969 (Acts 1969, p. 354), which provides for the compensation of county superintendents of education in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Jones	Malone	
Bailes	Gilmore	King	Pelham	
Branyon	Givhan	Lindsey	Pierce	
Cook	Hammond	Littleton	Register	
Cooper	Harris	Lybrand	Shelby	
Dominick	Hawkins	McLain	Vacca	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

H. 1720. To repeal Act No. 27, H. 287, approved June 25, 1965, Regular Session 1965 (Acts 1965, p. 47), entitled, "An Act To regulate the compensation of county superintendents of education in counties having populations of not less than 24,500 nor more than 24,550."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Jones	Owen	
Bailes	Gilmore	King	Shelby	
Branyon	Givhan	Lindsey	Vacca	
Carr	Hammond	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

## Nays:

—0

## The Bill:

H. 1721. To amend the title and Section 1 of Act No. 612, H. 755, Regular Session 1967 (Acts 1967, p. 1416), which provides for the appointment and compensation of a clerk for the sheriff in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dominick	Jones	Owen	
Bailes	Dozier	Lybrand	Pelham	
Branyon	Fine	McLain	Vacca	
Carr	Gilmore	Malone	Weaver	
Clark	Givhan	Noonan	Wilder	
Cook	Hammond	O'Bannon	Wilson	
Cooper	Harris			—25

## Nays:

—0

## The Bill:

H. 1722. To repeal Act No. 305, H. 306, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 774), entitled, "An Act To authorize the county governing body of every county in Alabama, which has a population of not less than 22,550 nor more than 24,550 according to the last or any subsequent federal decennial census, to fix the compensation of the clerk employed by the sheriff, but paid from the county treasury, within limits prescribed in this act and provide for the payment thereof in whole or in part out of the county highway and traffic control fund or out of the general fund."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Gilmore	King	Pelham	
Clark	Givhan	Lindsey	Pierce	
Cook	Hammond	Malone	Register	
Cooper	Harris	Noonan	Shelby	
Dominick	Hawkins	O'Bannon	Vacca	
Dozier	Horne	Owen	Weaver	
Fine	Jones			—25

## Nays:

—0

## The Bill:

H. 1723. To amend the title and Section 1 of Act No. 142, H. 508, Regular Session 1969 (Acts 1969, p. 414), which provides for compensation of members of the county board of registrars in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Vacca	
Carr	Givhan	Lybrand	Weaver	
Clark	Hammond	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

## Nays:

—0

## The Bill:

H. 1724. To repeal Act No. 49, H. 286, approved June 28, 1965, Regular Session 1965 (Acts 1965, p. 70), entitled, "An Act To regulate and provide for payment of the compensation of certain deputies of the sheriff in counties having populations of not less than 24,500 nor more than 24,550."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Carr	Hammond	Littleton	Pierce	
Clark	Harris	McLain	Register	
Cook	Hawkins	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

Nays:

—0

The Bill:

H. 1725. To repeal Act No. 63, H. 434, approved June 30, 1961, Regular Session 1961 (Acts 1961, p. 84), entitled, "An Act To fix the compensation of the county superintendents of education in all counties having populations of not less than 22,550 nor more than 24,550, according to the 1960 or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Dozier	Lindsey	Pierce	
Branyon	Fine	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	O'Bannon	Vacca	
Cook	Hammond	Owen	Weaver	
Cooper	Jones			—25

Nays:

—0

The Bill:

H. 1726. To repeal Act No. 665, H. 744, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1186), entitled, "An Act Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham	
Clark	Givhan	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Fine	Jones			—25

Nays:

—0

The Bill:

H. 1727. To amend the title and Section 1 of Act No. 141, H. 507, Regular Session 1969 (Acts 1969, p. 413), which provides for an allowance for uniforms for the sheriff, his deputies and other employees

of the sheriff's department in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Shelby	
Branyon	Harris	Noonan	Vacca	
Carr	Hawkins	O'Bannon	Weaver	
Cooper	Horne	Owen	Wilder	
Dominick	Jones	Pelham	Wilson	
Dozier	King			—25

*Nays:* —0

The Bill:

H. 1728. To amend the title and Section 1 of Act No. 178, H. 509, Regular Session 1965 (Acts 1965, p. 249), which provides for the promotion of industry in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pierce	
Carr	Hammond	Malone	Register	
Clark	Harris	Noonan	Shelby	
Cook	Hawkins	O'Bannon	Vacca	
Cooper	Horne	Owen	Weaver	
Dominick	Jones	Pelham	Wilder	
Dozier	King			—25

*Nays:* —0

The Bill:

H. 1729. Relating to all counties having populations of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census, further regulating the compensation and allowances of the members of the board of revenue or courts of commissioners.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Gilmore	Littleton	Pierce	
Branyon	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Wilder	
Dominick	Jones	Noonan	Wilson	
Dozier	King			—25

*Nays:* —0

The Bill:

H. 1730. To repeal Act No. 171, H. 184, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 235), entitled, "An Act Relating to

all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, further regulating the compensation and allowances of the chairman and members of the board of revenue."

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lybrand	Register	
Bailes	Gilmore	McLain	Shelby	
Branyon	Givhan	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	Littleton			—25

*Nays:* —0

The Bill:

H. 1798. Relating to all counties having populations of not less than 17,000 nor more than 20,000, according to the most recent federal decennial census; to fix the salary of the county solicitor and to prescribe the method of payment of such salary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dominick	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Weaver	
Cook	Harris	Malone	Wilder	
Cooper	Horne			—25

*Nays:* —0

The Bill:

H. 1846. To amend Act No. 369, H. 781, Regular Session 1963 (Acts 1963, p. 868), providing expense allowances for members of the Lee County Commission so as to make further provisions respecting allowances for the members and chairman of such commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	Lindsey	Register	
Carr	Gilmore	McLain	Shelby	
Cook	Givhan	Malone	Vacca	
Cooper	Hammond	Noonan	Weaver	
Dominick	Harris	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	King			—25

*Nays:* —0

The Bill:

H. 1895. Relating to membership of municipal and volunteer firefighters and police officers in Etowah County, Alabama, in organizations asserting the right to strike; prohibiting participation by firefighters and police officers in any strike against any municipality in Etowah County, Alabama, and prohibiting their membership in any organization that asserts the right to strike against a municipality in Etowah County, Alabama; relating to their right to collective bargaining; and to provide for an arbitration procedure in the event the parties cannot reach an agreement.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1895, to-wit:

#### COMMITTEE AMENDMENT TO H. 1895

Add as the third and a separate paragraph in Section 2(h) the following:

If the municipal governing body certifies that there is not sufficient revenue available to make the pay raises and salary increases and to provide the other improved conditions ordered by the arbitration board and still maintain the same standard of municipal services maintained during the preceding fiscal year of the municipality, then, in lieu of proceeding summarily to enforce the arbitration board's decision against the municipality, the court shall order the municipality to certify to the legislative delegation from Etowah County the amount of municipal revenue needed to meet the wage and salary increases and other benefits provided in the arbitration award. The court shall also order the municipality to certify the additional municipal revenue needed to give all municipal employees a like increase, together with the type and amount of municipal taxes the municipal governing body estimates will be necessary to grant these pay raises and salary increases and other benefits for the firefighters and police officers covered by the arbitration award and all other municipal employees.

Upon receipt of the above-mentioned certificates and estimates relative to the revenue needed to carry out the arbitration board's awards and a like increase for all municipal employees, the Etowah County legislative delegation shall make a diligent effort to provide the needed funds. As soon as such funds are made available to the municipality the municipal governing body shall immediately proceed to carry into effect the award of the arbitration board and a like salary increase for all municipal employees. Upon failure of the municipal governing body to put into effect the recommendations of the arbitration board, the circuit court shall proceed summarily to enforce such award.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham
Clark	Foshee	Littleton	Pierce
Cook	Harris	Lybrand	Vacca
Cooper	Hawkins	Malone	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier	Jones	Owen	Wilson
Edington	King		

Nays:

—25

—0



And said Bill, H. B. 1895, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	Malone	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1847. Relating to counties having a population not less than 34,875 nor more than 36,000 according to the most recent federal decennial census; to provide for an increase in the bailiffs pay to \$10.00 per day in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Owen	
Bailes	Hammond	Littleton	Pierce	
Branyon	Harris	Lybrand	Register	
Carr	Hawkins	McLain	Shelby	
Clark	Horne	Malone	Vacca	
Cooper	Jones	Noonan	Weaver	
Edington	King			—25

Nays: —0

The Bill:

H. 1901. Relating to all counties having populations of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licenses of liquor in half-pint and miniature packages, the amount thereof dependent upon whether said sales occur within the police jurisdiction and outside the corporate limits of municipalities or outside the police jurisdiction of municipalities, no tax being imposed upon sales occurring within corporate limits; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales to be made, and providing penalties for violations of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Bailes	Fine	McLain	Pierce	
Carr	Foshee	Malone	Register	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 355. To allow prospective jurors to be excused without the presence of the defendant in the Eleventh Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Vacca	
Cooper	Hawkins	McLain	Weaver	
Dominick	Horne	Malone	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 354. To regulate further the excusing of persons from jury service in the Eleventh Judicial Circuit; to authorize requiring persons excused from jury service at one time to serve at a subsequent time; and to regulate the compensation of jurors summoned for one week, but required to serve in another.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Horne	Malone	Vacca	
Dozier	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays: —0

The Bill:

H. 356. To abolish the drawing of special venires in capital cases in the Eleventh Judicial Circuit of Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Hammond	Malone	Wilder	
Cook	Harris	O'Bannon	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 357. Relating to criminal procedure in the Eleventh Judicial Circuit; providing for the separation of the jury during the trial of a felony by consent of the parties thereto.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Pierce	
Branyon	Harris	Lybrand	Register	
Carr	Hawkins	McLain	Shelby	
Cook	Horne	Malone	Vacca	
Dominick	Jones	O'Bannon	Wilder	
Edington	King			—25

Nays:

—0

The Bill:

H. 358. To apply only in the circuit court of the Eleventh Judicial Circuit; to provide that in such court the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pierce	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	McLain	Weaver	
Dominick	Horne	Malone	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1902. Relating to counties having a population of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to provide for a deputy coroner for said counties to be appointed by the coroner of said counties; the deputy coroner to reside in the Northern Judicial Division of said counties if the coroner resides in the Southern Judicial Division of said counties or the deputy coroner must reside in the Southern Judicial Division of said counties if the coroner resides in the Northern Judicial Division of said counties; the deputy coroner is to be paid \$100.00 for each month said deputy coroner serves and a mileage allowance of 10¢ per mile.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Cook	Harris	Noonan	Shelby
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1903. Relating to counties having a population of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census; to provide for a mileage allowance of 10¢ per mile for the coroner of such counties to which this Act applies.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Owen
Bailes	Fine	Lindsey	Shelby
Carr	Foshee	Littleton	Vacca
Cook	Gilmore	Lybrand	Weaver
Cooper	Givhan	McLain	Wilder
Dominick	Horne	O'Bannon	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

H. 1904. To repeal Act No. 53, H. 247, approved September 27, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 79) entitled "An Act relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; further providing for the sale of licenses, boat tags, transfers and replacements for the department of conservation in such counties, transferring certain duties of the probate judge to the commissioner of licenses; relieving the probate judge of such duties; and repealing conflicting Acts", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Owen
Bailes	Hammond	Littleton	Pierce
Branyon	Harris	Lybrand	Register
Cooper	Hawkins	McLain	Weaver
Dominick	Horne	Malone	Wilder
Dozier	Jones	Noonan	Wilson
Edington	King		

—25

Nays:

—0

## The Bill:

H. 1905. To repeal Act No. 52, H. 246, approved September 27, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 78) entitled "An Act relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; further providing for the procedure for redeeming lands sold for taxes in such counties; transferring certain duties of the Probate Judge to the Tax Collector; relieving the Probate Judge of such duties; and repealing conflicting Acts", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Owen
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Hammond	Malone	Vacca
Cook	Harris	Noonan	Wilson
Cooper	King		

—25

## Nays:

—0

## The Bill:

H. 1906. To repeal Act No. 642, H. 851, approved September 8, 1967 (Acts of Alabama 1967, Vol. II, Page 1454) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessors and tax collectors of such counties", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lybrand	Register
Bailes	Gilmore	McLain	Shelby
Carr	Hammond	Malone	Vacca
Clark	Hawkins	Noonan	Weaver
Cooper	Horne	Owen	Wilder
Dozier	Jones	Pierce	Wilson
Edington	King		

—25

## Nays:

—0

## The Bill:

H. 1907. To repeal Act No. 360, H. 370, approved September 12, 1966 (Acts of Alabama, Special Session 1966, Page 502) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000; providing an expense allowance for the chairman or president of the court of county commission, board of revenue or other like county governing body", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Horne	Malone	Vacca	
Cook	Jones	Noonan	Weaver	
Edington	King			—25

Nays: —0

The Bill:

H. 1908. To repeal Act No. 380, H. 690, approved August 26, 1953 (Acts of Alabama 1953, Vol. I, Page 450) entitled "An Act to authorize the tax assessor and tax collector of any county having a population of not less than 57,000 nor more than 63,700 inhabitants, according to the last or any subsequent federal decennial census, which compensates its tax assessor and tax collector on a salary basis, to retain any fee, commission, percentage or other compensation authorized to be paid to them for assessing or collecting any tax due a city or town" and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	McLain	Shelby	
Branyon	Harris	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1909. To repeal Act No. 124, H. 250, approved July 10, 1963 (Acts of Alabama, 1963, Vol. I, Page 499) entitled "An Act to regulate further the bail bond business in counties having populations of not less than 57,000 nor more than 61,000; amending Code of Alabama 1940, Title 15, Section 201" and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Wilson	
Cooper	King			—25

Nays: —0

## The Bill:

H. 1910. To repeal Act No. 118, H. 146, approved August 24, 1964 (Acts of Alabama, Special Session 1964, Vol. I, Page 178) entitled "An Act to provide additional compensation for the official court reporters of the county courts in counties having populations of not less than 57,000 nor more than 61,000" and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lybrand	Register	
Bailes	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Littleton			—25

## Nays:

—0

## The Bill:

H. 1911. To repeal Act No. 38, H. 107, approved October 29, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 254) entitled "An Act relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the county governing bodies of such counties to reimburse the tax collectors of such counties for certain losses incurred in the routine operation of their offices" and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Cook	Jones	Pierce	Wilson	
Edington	King			—25

## Nays:

—0

## The Bill:

H. 1912. To repeal Act No. 598, H. 647, approved September 8, 1967 (Acts of Alabama 1967, Vol. II, Page 1383) entitled "An Act to increase the compensation of each employee in the office of the clerk of the circuit court of every county having a population of not less than 57,000 nor more than 61,000; and to provide for the payment thereof;" and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Carr	Edington	Harris
Bailes	Clark	Givhan	Hawkins
Branyon	Dozier	Hammond	Horne

Jones	Malone	Register	Weaver	
King	Noonan	Shelby	Wilder	
Lybrand	Owen	Vacca	Wilson	
McLain	Pierce			—25
<i>Nays:</i>				—0

## The Bill:

H. 1913. To amend the title and Section 1 of Act No. 197, H. 606, approved July 30, 1965 (Acts of Alabama, Regular Session 1965, Vol. I, Page 280) entitled "An Act to apply only in counties of the State having populations of not less than 55,000 nor more than 60,000 inhabitants, according to the last or any subsequent federal decennial census; to further regulate the taking of fish from public streams and impounded water; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken" so that said Act, after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 56,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Littleton			—25
<i>Nays:</i>				—0

## The Bill:

H. 1914. To repeal Act No. 687, H. 949, approved September 8, 1967 (Acts of Alabama 1967, Vol. II, Page 1513) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census; to provide additional clerical help for the circuit court clerk", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25
<i>Nays:</i>				—0



The Bill:

H. 1915. To repeal Act No. 669, S. 788, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1204) entitled "An Act relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census, to provide an expense allowance for each of the probation officers of the county court; to repeal conflicting laws", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Malone	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Hammond	Owen	Wilder	
Cook	Harris	Pierce	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 1916. To amend the title and Section 1 of Act No. 373, H. 445, approved September 12, 1966 (Acts of Alabama, Special Session 1966, Page 512) entitled "An Act to define, regulate and license barbers and barber colleges, and other like business in any county of the State of Alabama having a population of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census; to create a barber's commission for said counties and define the powers and duties of said barber's commission; to provide for an inspector; and to provide a penalty for the violation of the provisions hereof"; so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law shall apply to all counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census; and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Register	
Clark	Givhan	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Littleton			—25

Nays: —0

The Bill:

H. 1917. To amend the title and Section 1 of Act No. 998, S. 498, approved September 9, 1961 (Acts of Alabama 1961, Vol. II, Page 1576) entitled "An Act to provide that in all counties having populations of not less than 55,000 nor more than 60,000 inhabitants according to the 1960 Federal Decennial Census, or any subsequent Federal Decennial Census of the United States, the governing body of the county may transfer to the sheriff any supervision and control it has over county

convicts" so that said Act after passage and approval of this Act by the Governor or upon its otherwise becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Owen
Bailes	Foshee	Littleton	Pierce
Branyon	Gilmore	Lybrand	Register
Carr	Givhan	McLain	Shelby
Clark	Horne	Malone	Vacca
Cook	Jones	Noonan	Weaver
Cooper	King		

—25

*Nays:*

—0

The Bill:

H. 1918. To amend the title and Section 1 of Act No. 975, H. 1419, approved September 12, 1969 (Acts of Alabama 1969, Vol. II, Page 1720) entitled "An Act to provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any judge of probate or license commissioner charged with the duty of issuing such license tag" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law shall apply to all counties having populations of not less than 54,500 nor more than 56,000 according to the last or any subsequent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Messrs.:	Givhan	Lindsey	Owen
Clark	Hammond	Littleton	Shelby
Cook	Harris	Lybrand	Vacca
Cooper	Hawkins	McLain	Weaver
Dominick	Horne	Malone	Wilder
Dozier	Jones	Noonan	Wilson
Edington	King		

—25

*Nays:*

—0

The Bill:

H. 1919. To amend the title and Section 1 of Act No. 481, S. 547, approved August 19, 1969 (Acts of Alabama 1969, Vol. I, Page 940) entitled "An act relating to all counties having populations of not less than 55,000 nor more than 60,000 according to the most recent federal decennial census; authorizing the employment of a deputy clerk for the jury commission and providing for his duties, tenure and compensation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 54,500 nor more than 56,000 according to the most recent federal decennial census and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Harris	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1920. To repeal Act No. 638, S. 650, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1167) entitled "An act to provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any judge of probate or license commissioner charged with the duty of issuing such license tag", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Cooper	Givhan	McLain	Weaver	
Dominick	Hammond	Malone	Wilder	
Dozier	Jones	Noonan	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1921. To repeal Act No. 440, H. 801, approved August 19, 1969 (Acts of Alabama 1969, Vol. I, Page 875) entitled "An Act to apply only in counties having populations of not less than 57,000 nor more than 61,000 providing an expense allowance payable from the County Treasury for the use of the coroner" and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Hammond	Malone	Wilder	
Cook	Harris	Noonan	Wilson	
Cooper	King			—25

Nays: —0

## The Bill:

H. 1922. To repeal Act No. 577, S. 539, approved August 29, 1969 (Acts of Alabama 1969, Vol. II, Page 1063) entitled "An Act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, providing further for the expense allowances of the chairman of the county governing body", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Givhan	Lindsey	Register	
Bailes	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25

Nays: —0

## The Bill:

H. 1924. To repeal Act No. 480, H. 1033, approved September 6, 1957 (Acts of Alabama 1957, Vol. I, Page 662) entitled "An Act to provide further for the compensation of the circuit judge in every circuit composed of only one county having only one circuit judge and a population of not less than fifty-three thousand nor more than sixty-three thousand inhabitants according to the last or any subsequent federal decennial census" and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Harris	Lybrand	Vacca	
Cooper	Hawkins	McLain	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25

Nays: —0

## The Bill:

H. 1925. To repeal Act No. 250, H. 601, approved August 1, 1961 (Acts of Alabama 1961, Vol. I, Page 274) entitled "An Act to prohibit the taking of fish from the public waters of all counties having a population of not less than 57,000 nor more than 61,000, according to the 1960 or any subsequent federal decennial census, with hoop or fyke nets, gill nets, trammel nets, or any other kind of commercial fishing gear except setlines, trotlines, and snaglines; repealing conflicting laws" and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Malone	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Hammond	Owen	Wilder	
Cook	Harris	Pierce	Wilson	
Dominick	King			—25

Nays: —0

The Bill:

H. 1926. To repeal Act No. 727, H. 976, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1043) entitled "An Act fixing the compensation of the chairman of the board of revenue, court of county commissioners or other like county governing body in all counties having populations of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Register	
Bailes	Hammond	McLain	Shelby	
Branyon	Harris	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1927. To repeal Act No. 381, H. 873, approved August 30, 1963 (Acts of Alabama 1963, Vol. II, Page 884) entitled "An Act relating to counties having populations of not less than 57,000 nor more than 61,000; providing for payment of special supplementary allowances for probation officers of the juvenile courts of such counties", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Owen	
Clark	Gilmore	Littleton	Pierce	
Cook	Givhan	Lybrand	Register	
Cooper	Hammond	McLain	Shelby	
Dominick	Harris	Malone	Vacca	
Dozier	Horne	Noonan	Wilson	
Edington	King			—25

Nays: —0

## The Bill:

H. 1928. To repeal Act No. 65, H. 48, approved March 19, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 78) entitled "An Act relating to counties of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census; providing for the payment of an expense allowance to the probate judges of such counties, and giving the Act limited retroactive effect", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Owen
Bailes	Foshee	Littleton	Register
Branyon	Gilmore	Lybrand	Shelby
Carr	Hammond	McLain	Vacca
Clark	Horne	Malone	Weaver
Dozier	Jones	Noonan	Wilder
Edington	King		

—25

## Nays:

—0

## The Bill:

H. 1929. To repeal Act No. 65, H. 48, approved March 19, 1965, (Acts of Alabama, Special Session 1965, Vol. I, Page 79) entitled "An Act relating to counties of not less than 57,000 nor more than 61,500 inhabitants according to the 1960 or any subsequent federal decennial census; providing for the payment of an expense allowance to the probate judges of such counties, and giving the Act limited retroactive effect", and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Owen
Bailes	Hammond	Littleton	Pierce
Branyon	Harris	Lybrand	Vacca
Carr	Hawkins	McLain	Weaver
Clark	Horne	Malone	Wilder
Cook	Jones	Noonan	Wilson
Cooper	King		

—25

## Nays:

—0

## The Bill:

H. 1931. To repeal Act No. 553, H. 1094, approved August 29, 1969, entitled, "Relating to certain county officers in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; providing expense allowances for the probate judge, the tax assessor and the tax collector; and prescribing an effective date and an expiration date for this Act." (Acts of 1969, p. 1037)

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Register	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

Nays: —0

The Bill:

H. 1932. To repeal Act No. 556, H. 1129, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1039), entitled, "An Act To fix the compensation of the sheriffs of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham,	
Bailes	Foshee	Littleton	Register	
Branyon	Harris	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1933. To repeal Act No. 321, H. 759, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 800), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000; providing expense allowances for members of the court of county commissioners, board of revenue, or other like county governing body."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham,	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Hammond	Malone	Wilder	
Dozier	Harris	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1934. To repeal Act No. 914, H. 1300, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1645), entitled, "An Act To apply only in counties having populations of not less than 50,000 nor

more than 54,000, according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization and repealing conflicting law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Clark	Givhan	McLain	Register	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

Nays:

—0

The Bill:

II. 1935. Relating to Houston County; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department; to authorize the county governing body to prescribe the exact amount of such salaries.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Register	
Branyon	Harris	Lybrand	Vacca	
Carr	Hawkins	McLain	Weaver	
Clark	Horne	Malone	Wilder	
Dozier	Jones	Noonan	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1936. To repeal Act No. 1240, H. 1539, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2342), entitled, "An Act To provide for the compensation of the register of the circuit court of any county having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Register	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0



The Bill:

H. 1937. Relating to Houston County; to provide for the compensation of the judge of probate in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Hammond	McLain	Register	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays:

—0

The Bill:

H. 1938. Relating to Houston County; to regulate the compensation of jurors.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

Nays:

—0

The Bill:

H. 1939. Relating to Houston County; to provide an additional and alternative method of assessing, paying taxes on, and issuing license tags for motor vehicles.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	McLain	Register	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 1940. Relating to Houston County; regulating the compensation of registrars and providing for payment of additional compensation to them by the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dominick	Harris	Owen	
Bailes	Dozier	King	Register	
Branyon	Fine	Lindsey	Vacca	
Carr	Foshee	Littleton	Weaver	
Clark	Gilmore	Noonan	Wilder	
Cook	Givhan	O'Bannon	Wilson	
Cooper	Hammond			—25

*Nays:*

—0

The Bill:

H. 1941. To apply to the 20th Judicial Circuit composed of Houston and Henry Counties, relating to additional compensation and method of payment of the official court reporters.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pelham	
Bailes	Fine	McLain	Register	
Branyon	Foshee	Malone	Vacca	
Carr	Gilmore	Noonan	Weaver	
Clark	Givhan	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Dozier	Jones			—25

*Nays:*

—0

The Bill:

H. 1942. To amend the title and Section 1 of Act No. 390, H. 904, Regular Session 1963 (Acts 1963, p. 891), which authorizes domino games in billiard rooms in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Register	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

*Nays:*

—0

The Bill:

H. 1943. Relating to Houston County; to increase the compensation of the members of the jury commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Hammond	McLain	Register	
Branyon	Harris	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1944. To provide for the compensation and method of payment of the Clerk of the Circuit Court of Houston County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 1945. To repeal Act No. 1241, H. 1540, approved September 13, 1969, Regular Session 1969 (Acts 1969, p. 2342), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for the compensation of the clerk of the circuit court in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Clark	Foshee	Littleton	Register	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1946. To repeal Act No. 583, S. 647, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1069), entitled, "An Act To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pelham	
Bailes	Givhan	Littleton	Register	
Branyon	Harris	Lybrand	Vacca	
Carr	Hawkins	McLain	Weaver	
Clark	Horne	Malone	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1947. To repeal Act No. 557, H. 1130, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1039), entitled, "An Act Regulating the compensation of registrars of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for payment of additional compensation to them by the county."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham	
Branyon	Givhan	McLain	Register	
Clark	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

Nays: —0

The Bill:

H. 1948. To repeal Act No. 912, H. 1298, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1643), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to increase the compensation of the members of the jury commission in such counties; to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dominick	King	Pelham	
Bailes	Fine	Lindsey	Register	
Branyon	Foshee	Littleton	Vacca	
Carr	Gilmore	Lybrand	Weaver	
Clark	Givhan	McLain	Wilder	
Cook	Hammond	Malone	Wilson	
Cooper	Harris			—25

Nays: —0

The Bill:

H. 1949. To repeal Act No. 394, H. 1017, approved August 12, 1969, Regular Session 1969 (Acts 1969, p. 770), entitled, "An Act To regulate the compensation of jurors in counties having populations of not less than 50,000 nor more than 54,000."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Malone	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1950. To repeal Act No. 805, H. 1016, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1449), entitled, "An Act Relating to additional compensation paid official court reporter in all circuits composed of two counties, having two circuit judges, and in which one county having a population of not less than 50,000 nor more than 51,000 according to the most recent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Pelham	
Clark	Hammond	Littleton	Register	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1951. To repeal Act No. 558, H. 1131, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1040), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department in such counties; to authorize the county governing body to prescribe the exact amount of such salaries; to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

H. 1952. To repeal Act No. 555, H. 1128, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1038), entitled, "An Act Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to provide for the compensation of the judge of probate in such counties; to repeal conflicting laws."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Givhan	McLain	Register	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 1956. To authorize the governing body of any county having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, and the governing bodies of the municipalities in any such county to establish jointly a parking and transit authority as a public corporation for the purpose of financing, acquiring, constructing, enlarging, equipping, improving, maintaining, developing, and operating facilities for parking motor vehicles, and acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating a public transit system, and related facilities including offices for any such authority, and leasing or letting such buildings, structures or facilities; to authorize such authority to issue bonds of indebtedness, into contracts, acquire and dispose of properties; to exercise powers, privileges and rights necessary; to provide that such bonds shall be negotiable instruments; and to provide for the dissolution of the authority and the disposition of its property.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Clark	Gilmore	Littleton	Register
Cooper	Givhan	Lybrand	Shelby
Dominick	Hammond	McLain	Vacca
Dozier	Harris		

—25

Nays:

—0

The Bill:

H. 1957. Relating to counties having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census; to authorize the county commission in such counties to appropriate \$604.57 out of the appropriate fund in the county treasury for the relief of Homer B. Dupree.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Clark	Gilmore	Littleton	Register
Cooper	Givhan	Lybrand	Wilder
Dominick	Hammond	O'Bannon	Wilson
Dozier	Harris		

—25

Nays:

—0

The Bill:

H. 1969. To repeal Act No. 684, H. 942, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1510), entitled, "An Act Relating to counties having populations of not less than 22,500 nor more than 24,550 according to the most recent federal decennial census, whose roads and bridges are constructed, maintained and repaired by the state highway department; forbidding the judge of probate of any such county to remit to the state highway department moneys collected by him from that part of the motor vehicle and trailer license taxes allocated to the county; to require such judges of probate to deposit such moneys in a special fund in the county treasury; and to prescribe the use thereof."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham
Clark	Givhan	McLain	Pierce
Cook	Hammond	Malone	Register
Cooper	Harris	Noonan	Shelby
Dominick	Hawkins	O'Bannon	Vacca
Dozier	Horne	Owen	Weaver
Fine	Jones		

—25

Nays:

—0

## The Bill:

H. 1974. To alter, rearrange and extend the boundary lines and corporate limits of the City of Piedmont in Calhoun County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

## Nays:

—0

## The Bill:

H. 1976. Relating to Escambia County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25

## Nays:

—0

## The Bill:

H. 1977. Relating to Escambia County; to make it unlawful to take deer from public waters; to provide for the seizure and confiscation of property used in the taking of deer from public waters.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25

## Nays:

—0



The Bill:

H. 1978. Relating to Escambia County; providing for the publication of only one annual financial statement.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Owen	
Bailes	Foshee	Littleton	Shelby	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Horne	Malone	Wilder	
Dozier	Jones	Noonan	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1979. Relating to Escambia County; providing for accounts against the county not having to be certified and sworn to.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lindsey	Owen	
Clark	Hammond	Littleton	Pierce	
Cook	Harris	Lybrand	Register	
Cooper	Hawkins	McLain	Shelby	
Dominick	Horne	Malone	Vacca	
Dozier	Jones	Noonan	Weaver	
Edington	King			—25

Nays: —0

The Bill:

H. 2012. To repeal Act No. 212, S. 255, approved July 25, 1963, Regular Session 1963 (Acts 1963, P. 611), entitled, "An Act To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 50,000 nor more than 54,000."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	Lybrand	Vacca	
Carr	Givhan	McLain	Weaver	
Clark	Hammond	Malone	Wilder	
Cook	Harris	Noonan	Wilson	
Cooper	King			—25

Nays: —0

## The Bill:

H. 2013. To provide for the compensation and method of payment of the Register of the Circuit Court of Houston County, Alabama, In Equity.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Register	
Cook	Harris	Malone	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

## Nays:

—0

## The Bill:

H. 2037. Relating to counties having populations of not less than 61,000 nor more than 62,000; providing further for the compensation of the members of the board of equalization and the meeting dates of such board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Dozier	Harris	Owen	Wilson	
Edington	Horne			—25

## Nays:

—0

## The Bill:

H. 2060. To repeal Act No. 413, H. 879, approved August 7, 1961, Regular Session 1961 (Acts 1961, p. 431), entitled, "An Act To fix the compensation of the deputy solicitor of all counties having a population of not less than 27,000 nor more than 30,000, according to the 1960 or any subsequent federal decennial census."

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Carr	Foshee	McLain	Pierce	
Cook	Harris	Malone	Register	
Cooper	Hawkins	Noonan	Shelby	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Lindsey			—25

## Nays:

—0

The Bill:

H. 2038. Relating to Marion County; abolishing the Marion County Board of Revenue and creating the Marion County Commission for Marion County in lieu thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Owen	
Bailes	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Hawkins	O'Bannon	Wilson	
Dozier	Horne			—25

Nays:

—0

The Bill:

H. 2061. Relating to counties having a population of not less than 23,800 nor more than 23,925, according to the most recent federal decennial census; to fix the compensation of the deputy solicitor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Weaver	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 2077. To amend the title and Section 1 of Act No. 179, H. 518, Regular Session 1965 (Acts 1965, p. 250), which Act provides further for an expense allowance for the members of the county commissions of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Cook	Gilmore	Malone	Register	
Cooper	Givhan	Noonan	Shelby	
Dominick	Horne	O'Bannon	Vacca	
Dozier	Jones	Owen	Weaver	
Edington	Lindsey			—25

Nays:

—0

The Bill:

H. 2086. Relating to counties having populations of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census; providing for additional meetings days of boards of equalization in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	O'Bannon	Wilder	
Cooper	King			—25

Nays:

—0

The Bill:

H. 2090. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Springville in St. Clair County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Register	
Bailes	Fine	Lindsey	Shelby	
Carr	Foshee	Littleton	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays:

—0

The Bill:

H. 2142. Relating to Monroe County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Weaver	
Cooper	Hammond	Malone	Wilder	
Dozier	Harris			—25

Nays:

—0

The Bill:

H. 2144. To amend the title and Section 1 of Act No. 111, H. 169, Special Session 1962 (Acts 1962, p. 146) which provides for additional meetings of boards of registrars in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Givhan	Lindsey	Shelby	
Branyon	Hammond	Littleton	Vacca	
Carr	Harris	Lybrand	Weaver	
Clark	Hawkins	McLain	Wilder	
Cooper	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

H. 2145. To amend the title and Section 1 of Act No. 354, H. 648, Regular Session 1961 (Acts 1961, p. 373) which relates to the registration of voters and relieves the members of the board of registrars from the duty of visiting precincts or voting places in the performance of their official duties in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	Lybrand	Register	
Clark	Hawkins	McLain	Wilder	
Cooper	Horne	Malone	Wilson	
Dozier	Jones			—25

Nays: —0

#### CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Carr, further consideration of the Bills, H. B. 1240 and H. B. 1040, was indefinitely postponed.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 2146. To repeal Act No. 1193, H. 1432, approved October 17, 1969, Regular Session 1969 (Acts 1969, p. 2231), entitled, "An Act To fix the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; to repeal conflicting laws; and to provide for a referendum."

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	McLain	Weaver	
Dominick	Horne	Malone	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

*Nays:* —0

The Bill:

H. 2147. To repeal Act No. 735, H. 35, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1305), entitled, "An Act Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective."

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Dominick	Horne	Malone	Wilder	
Dozier	Jones	O'Bannon	Wilson	
Edington	King			—25

*Nays:* —0

The Bill:

H. 2148. To amend the title and Section 1 of Act No. 26, H. 77, Third Special Session 1965 (Acts 1965, p. 235) which authorizes the expenditure of county funds for contributions to non-profit Community Action Committees, boards and groups formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity, in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Horne	Malone	Vacca	
Cook	Jones	O'Bannon	Weaver	
Edington	King			—25

*Nays:* —0

The Bill:

H. 307. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338, H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 307, to-wit:

#### COMMITTEE AMENDMENT TO H. B. 307

Amend Section 1 of House Bill 307 by deleting "Nineteen Thousand Five Hundred (\$19,500.00) Dollars" and inserting in lieu thereof "Eighteen Thousand Four Hundred (\$18,400.00) Dollars."

Amend Section 2 of House Bill 307 by deleting "Eighteen Thousand Dollars (\$18,000.00)" and inserting in lieu thereof "Seventeen Thousand Dollars (\$17,000.00)."

Amend Section 3 of House Bill 307 by deleting "Sixteen Thousand Five Hundred (\$16,500.00) Dollars" and inserting in lieu thereof "Fifteen Thousand Five Hundred (\$15,500.00) Dollars."

Amend Sections 4 and 5 of House Bill 307 by deleting "Fifteen Thousand Five Hundred (\$15,500.00) Dollars" and inserting in lieu thereof "Fourteen Thousand Eight Hundred (\$14,800.00) Dollars."

Amend Section 6 of House Bill 307 by deleting "Fourteen Thousand (\$14,000.00) Dollars" and inserting in lieu thereof "Thirteen Thousand Four Hundred (\$13,400.00) Dollars".

Amend Sections 7 and 8 of House Bill 307 by deleting "Twelve Thousand Five Hundred (\$12,500.00) Dollars" and inserting in lieu thereof "Twelve Thousand (\$12,000.00) Dollars".

Amend Section 9 of House Bill 307 by deleting "Fifteen Thousand Five Hundred (\$15,500.00) Dollars" and inserting in lieu thereof "Fourteen Thousand Four Hundred (\$14,400.00) Dollars".

Amend Section 10 of House Bill 307 by deleting "Eleven Thousand Five Hundred (\$11,500.00) Dollars" and inserting in lieu thereof "Ten Thousand Eight Hundred (\$10,800.00) Dollars".

Amend Section 11 of House Bill 307 by deleting "Fifteen Thousand (\$15,000.00) Dollars" and inserting in lieu thereof "Fourteen Thousand Four Hundred (\$14,400.00) Dollars".

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	Littleton	Owen	
Bailes	Gilmore	Lybrand	Pelham	
Cook	Givhan	McLain	Pierce	
Cooper	Hammond	Malone	Register	
Dominick	Harris	Noonan	Vacca	
Edington	Hawkins	O'Bannon	Wilson	
Fine	King			—25

*Nays:*

—0

And said Bill, H. B. 307, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	Littleton	Owen	
Bailes	Gilmore	Lybrand	Pelham	
Cook	Givhan	McLain	Pierce	
Cooper	Hammond	Malone	Register	
Dominick	Harris	Noonan	Vacca	
Edington	Hawkins	O'Bannon	Wilson	
Fine	King			—25

*Nays:*

—0

The Bill:

H. 363. To confer on the Probate Courts in all counties of this State, which now have or may hereafter have a population of 500,000 or more, according to the last or any subsequent Federal census, general jurisdiction and authority, concurrent with that of the Circuit Courts, in Equity and Law, of this State in the administration of estates and for other and additional matters which the Probate Courts have original or general jurisdiction, in addition to those conferred by Act No. 633, page 1000, General Acts of the 1939 Regular Session; and to confer on the Judges of Probate Courts of such counties the same powers and authority which judges of the Circuit Court now have; to determine ownership of funds paid to the Probate Court as awards under Eminent Domain proceedings (Title 19, Section 27, Code of Alabama 1958 Recompiled), to determine the reinvestment of such funds of minors and Non Compos Mentis persons, and to determine the disposition of funds of a patient of the State Hospitals for Mental Patients which have been paid to the Judge of Probate; to provide for the pleading, practice and procedure in such matters, and for the assessment and collection of fees, commissions and costs of court for the performance of the duties authorized by this act.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following substitute for the Bill, H. B. 363, to-wit:

#### COMMITTEE SUBSTITUTE FOR H. B. 363

#### A BILL TO BE ENTITLED AN ACT

To confer on the Probate Courts in all counties of this State which now have or may hereafter have a population of 500,000 or more, ac-



cording to the latest or any subsequent Federal census, general jurisdiction and authority, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of estates and for other and additional matters of which the Probate Courts have original or general jurisdiction, in addition to those conferred by Act No. 633, page 1000, General Acts of the 1939 Regular Session; and to confer on the Judges of Probate Courts of such counties the same powers and authority which judges of the Circuit Court now have with respect to the aforesaid; to determine ownership of funds paid to the Probate Court as awards under Eminent Domain proceedings (Title 19, Section 27, Code of Alabama of 1940, as amended); to determine the reinvestment of such funds of minors and non compos mentis persons, and to determine the disposition of funds of a patient of the State Hospitals for Mental Patients which have been paid to the Judge of Probate; to provide for the pleading, practice and procedure in such matters, and for the assessment and collection of fees, commissions and costs of court for the performance of the duties authorized by this act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Probate Courts in all counties of this State which now have or may hereafter have a population of 500,000 or more, according to the latest or any subsequent Federal census, shall have general jurisdiction concurrent with that of the Circuit Courts of this State, in equity, in the administration of the estates of deceased persons, minors and insane or non compos mentis persons, including testamentary trust estates, and the following additional matters, including jurisdiction:

(a) to determine the division or partition for distribution of awards when any adverse claim or title is asserted by any one of the interested parties, which involves the determination of title to land in Eminent Domain proceedings (under Title 19, Section 27, Code of Alabama of 1940, as amended; and

(b) to determine the interests of minors and non compos mentis persons in the funds paid into Probate Court as awards in Eminent Domain proceedings and, when advisable and requested, to authorize the reinvestment of such funds belonging to any minor or non compos mentis persons in other real estate for the benefit of such minor or non compos mentis persons; and

(c) to determine the disposition of funds of minors or insane persons, including any non compos mentis, paid into the custody of the Probate Judge or to the Probate Court for any estate, Eminent Domain proceedings or sale of property for division, or under Chapter 4, Title 21, Code of Alabama of 1940, as amended, or from any other source, and to authorize such funds to be used solely for the benefit of such person or persons; and

(d) to order the payment to the Alabama State Hospitals for Mental Patients of moneys owned by each patient and deposited with the Probate Judge not to exceed Fifteen Hundred (\$1,500.00) Dollars for each patient, to be used solely for the benefit of such patient, and when such amounts owned exceed \$1,500.00 each, such may be paid to a legal guardian.

Section 2. The Judges of such Probate Courts, where the Judge of Probate is learned in the law, shall have the same powers and authority which Judges and Registers of the Circuit Courts of this State now have, in equity, in connection with the administration of estates in the Circuit Courts, in equity; and in connection with other and

additional matters of which such Probate Courts have original or general jurisdiction.

Section 3. All laws of pleading and practice, including the right to trial by jury wherever heretofore authorized by law, and evidence and rules of court, including any and all local rules of court passed by the Circuit Judges of said counties, and all laws relating to testamentary trusts and testamentary trustees, and all laws relating to the mode of obtaining evidence by oral examination or by depositions, and of compelling the attendance of witnesses, and of enforcing orders, decrees and judgments now applicable in the Circuit Courts, in equity, shall apply in the said Probate Courts, insofar as the same can be made applicable in connection with the matters of which jurisdiction is conferred upon said Probate Courts by this act. And in connection with those matters, such Probate Courts may proceed according to the rules and procedures of the Circuit Courts, in equity, of this State, or may proceed in accordance with the statutes relating to such matters in the Probate Courts of this State generally.

Section 4. Appeals may be taken from the orders, judgments and decrees of such a Probate Court, relating to the administration of such aforesaid estates, including decrees on partial settlements and rulings on demurrer, or otherwise relating to action taken pursuant to jurisdiction conferred by this act, to the Supreme Court within thirty days from the rendition thereof, or within thirty days from the decision of such a Probate Court on a motion for new trial, in the manner and form as is provided for appeals from the Probate Courts to the Supreme Court.

Section 5. The Probate Judge of such court shall perform all the duties now required by law of the judges and registers of the Circuit Courts of this State, in reference to the administration of such aforesaid estates and otherwise as provided in Section 1 of this act, and shall be entitled to assess and collect the same costs of court, charges, fees and commissions as are now authorized by law to be assessed and collected by registers of the Circuit Courts for the performance of similar duties.

Section 6. The jurisdiction conferred by this act on the Probate Courts and the Probate Judges of such counties is intended to be cumulative only, and it is not intended hereby to in any manner limit or restrict the present jurisdiction of the Circuit Courts or the Probate Courts of such counties, including, without limitation, the right to appeal from orders, judgments and decrees of the Probate Judges of such counties in the manner as now provided by law. Nothing in this act shall be construed as prohibiting or as creating any conditions to the removal of any estates, or the administration of any estates, from the Probate Court to the Circuit Court, in equity, as is now provided by law. It is the primary intention of this act to expedite and facilitate the administration of estates and such other matters as are mentioned herein counties of over 500,000 population, and should any part of this act be declared unconstitutional, such declaration shall not affect the remainder of this act.

Section 7. All laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. This act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Noonan	
Bailes	Foshee	King	Pelham	
Carr	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Dominick	Harris	Malone	Vacca	
Edington	Hawkins			—25
Nays:				—0

And said Bill, H. B. 363, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Noonan	
Bailes	Foshee	King	Pelham	
Carr	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Dominick	Harris	Malone	Vacca	
Edington	Hawkins			—25
Nays:				—0

The Bill:

H. 404. Relating to the Tenth Judicial Circuit, Bessemer Division providing for the appointment, duties, and compensation of one additional Assistant Deputy District Attorney in such Circuit.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 404, to-wit:

#### AMENDMENT TO H. B. 404

Amend Section 2 of House Bill 404 to read as follows:

Section 2. The second assistant Deputy District Attorney shall be paid from the general treasury of the County in equal bi-monthly installments such as annual salary as that when added to the annual salary payable by the State of Alabama to each such Assistant Deputy District Attorney, the same shall be the total annual salary of each such Assistant Deputy District Attorney Twelve Thousand Dollars (\$12,000.00).

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Register	
Bailes	Hammond	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Dominick	Jones	Noonan	Weaver	
Dozier	King	O'Bannon	Wilder	
Edington	Lindsey	Owen	Wilson	
Fine	Littleton			—25
Nays:				—0

And said Bill, H. B. 404, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Gilmore	Lybrand	Register	
Bailes	Hammond	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Dominick	Jones	Noonan	Weaver	
Dozier	King	O'Bannon	Wilder	
Edington	Lindsey	Owen	Wilson	
Fine	Littleton			—25

*Nays:*

—0

The Bill:

H. 405. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 405, to-wit:

#### COMMITTEE AMENDMENT TO H. B. 405

Amend House Bill 405 by deleting the words and figures "Fourteen Thousand Dollars (\$14,000.00)" and inserting in lieu thereof the following words and figures "Thirteen Thousand Two Hundred Dollars (\$13,200.00)."

Which was adopted.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Gilmore	Lybrand	Pelham	
Bailes	Givhan	McLain	Pierce	
Clark	Hammond	Malone	Register	
Cook	Hawkins	Noonan	Vacca	
Dominick	Jones	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
Fine	Littleton			—25

*Nays:*

—0

And said Bill, H. B. 405, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Gilmore	Lybrand	Pelham	
Bailes	Givhan	McLain	Pierce	
Clark	Hammond	Malone	Register	
Cook	Hawkins	Noonan	Vacca	
Dominick	Jones	O'Bannon	Wilder	
Edington	King	Owen	Wilson	
Fine	Littleton			—25

*Nays:*

—0

The Bill:

H. 442. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is \$100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of \$100.00 and does not exceed the sum of \$500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof; to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary: to provide for the abolishment of the Jefferson County Court of General Sessions: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 442, to-wit:

COMMITTEE AMENDMENT TO H. B. 442

Amend Section 5 of House Bill 442 by deleting the words and figures "nineteen thousand dollars (\$19,000.00)" and inserting in lieu thereof the words and figures "fifteen thousand dollars (\$15,000.00)."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Owen
Bailes	Gilmore	Lybrand	Pelham
Clark	Hammond	McLain	Pierce
Cook	Harris	Malone	Register
Dominick	Hawkins	Noonan	Shelby
Edington	Jones	O'Bannon	Vacca
Fine	King		

—25

Nays:

—0

And said Bill, H. B. 442, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Owen
Bailes	Gilmore	Lybrand	Pelham
Clark	Hammond	McLain	Pierce
Cook	Harris	Malone	Register
Dominick	Hawkins	Noonan	Shelby
Edington	Jones	O'Bannon	Vacca
Fine	King		

—25

Nays:

—0

## The Bill:

H. 463. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 463, to-wit:

## COMMITTEE AMENDMENT TO H. B. 463

Amend Section 1 of House Bill 463 by deleting the words and figures "Fifteen Thousand and no/100 (\$15,000.00) Dollars" and inserting in lieu thereof the following words and figures:

"Twelve Thousand One Hundred (\$12,100.00) Dollars."

Which was adopted.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	McLain	Register	
Bailes	Foshee	Malone	Shelby	
Carr	Gilmore	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Cook	Horne	Owen	Wilder	
Dominick	Jones	Pierce	Wilson	
Edington	King			—25

## Nays:

—0

And said Bill, H. B. 463, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	McLain	Register	
Bailes	Foshee	Malone	Shelby	
Carr	Gilmore	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Cook	Horne	Owen	Wilder	
Dominick	Jones	Pierce	Wilson	
Edington	King			—25

## Nays:

—0

## The Bill:

H. 685. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 685, to-wit:

## COMMITTEE AMENDMENT TO H. B. 685

Amend Section 1 of House Bill 685 by deleting the words and figures "Eighteen Thousand Five Hundred (\$18,500.00) Dollars" and inserting in lieu thereof the following words and figures:

"Nineteen Thousand (\$19,000.00) Dollars."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pierce	
Bailes	Hammond	Littleton	Register	
Carr	Harris	Lybrand	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Edington	Jones	Pelham	Wilson	
Fine	King			—25

Nays: —0

And said Bill, H. B. 685, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lindsey	Pierce	
Bailes	Hammond	Littleton	Register	
Carr	Harris	Lybrand	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Edington	Jones	Pelham	Wilson	
Fine	King			—25

Nays: —0

The Bill:

H. 736. To further amend Act No. 134 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, p. 201), approved July 7, 1965, as heretofore amended, which Act authorized the Mayor of any city having a population of 300,000 or more, according to the last or any subsequent federal census, to employ for and in behalf of said city a chief administrative assistant to the Mayor to serve at the pleasure of the Mayor.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following substitute for the Bill, H. B. 736, to-wit:

## COMMITTEE SUBSTITUTE FOR H. B. 736

A BILL  
TO BE ENTITLED  
AN ACT

TO AMEND ACT NUMBER 134 OF THE 1965 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA (ACTS OF ALABAMA REGULAR SESSION 1965, PAGE 201) APPROVED JULY 7, 1965,

ENTITLED "AN ACT TO AUTHORIZE THE MAYOR OF ANY CITY OF THIS STATE HAVING A POPULATION OF 300,000 PERSONS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS TO EMPLOY FOR AND IN BEHALF OF SAID CITY A CHIEF ADMINISTRATIVE ASSISTANT TO THE MAYOR TO SERVE AT THE PLEASURE OF THE MAYOR."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 1 of Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, page 201), approved July 7, 1965, entitled "An Act to authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor," be and said Section 1 is hereby amended to read as follows:

"Section 1. The mayor of any city of this state having a population of 300,000 persons or more according to the last or any subsequent federal census is hereby authorized to employ for and on behalf of said city an employee to be known as chief administrative assistant to the mayor to serve at the pleasure of the mayor, to define the duties of said employee, and to fix his compensation at a salary not in excess of \$18,700 per annum. The chief administrative assistant to the mayor employed hereunder must reside within the city during the term of his employment. He must have had at least five (5) years experience in public or private business in an executive or managerial capacity; provided, however, a majority of the Council shall have the authority to approve the appointment of a person having different qualifications upon the recommendation of the mayor. Said chief administrative assistant to the mayor shall not be subject to the provisions of any merit system, and this Act shall not limit the authority of said mayor to appoint other employees of said city under civil service or otherwise where authorized by any other law."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	King	Owen	
Bailes	Givhan	Littleton	Pelham	
Cook	Hammond	Lybrand	Pierce	
Cooper	Harris	McLain	Vacca	
Dominick	Hawkins	Malone	Wilder	
Dozier	Horne	Noonan	Wilson	
Edington	Jones			—25

Nays:

—0

And said Bill, H. B. 736, as thus amended by the substitute, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cooper	Edington	Hammond
Bailes	Dominick	Gilmore	Harris
Cook	Dozier	Givhan	Hawkins



Horne	Lybrand	Owen	Vacca	
Jones	McLain	Pelham	Wilder	
King	Malone	Pierce	Wilson	
Littleton	Noonan			—25
Nays:				—0

The Bill:

H. 1085. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1085, to-wit:

COMMITTEE AMENDMENT TO H. B. 1085

Amend Section 1 of House Bill 1085 by deleting the figures "\$700" and inserting in lieu thereof "\$600".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Bailes	Gilmore	Lybrand	Pelham	
Cook	Hammond	McLain	Pierce	
Cooper	Harris	Malone	Register	
Dominick	Hawkins	Noonan	Vacca	
Dozier	Horne	O'Bannon	Wilson	
Edington	King			—25
Nays:				—0

And said Bill, H. B. 1085, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Bailes	Gilmore	Lybrand	Pelham	
Cook	Hammond	McLain	Pierce	
Cooper	Harris	Malone	Register	
Dominick	Hawkins	Noonan	Vacca	
Dozier	Horne	O'Bannon	Wilson	
Edington	King			—25
Nays:				—0

The Bill:

H. 1094. To provide retirement allowances for elected officials and former elected officials of all municipalities of the state having a population of 300,000 or more according to the last and any subsequent federal census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McLain	Pierce
Bailes	Hammond	Malone	Register
Cook	Harris	Noonan	Shelby
Cooper	Hawkins	O'Bannon	Vacca
Dominick	Horne	Owen	Weaver
Dozier	Jones	Pelham	Wilder
Edington	King		

—25

Nays:

—0

The Bill:

S. 1170. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham
Bailes	Hammond	McLain	Pierce
Clark	Harris	Malone	Register
Cook	Hawkins	Noonan	Vacca
Cooper	Horne	O'Bannon	Wilder
Dominick	Jones	Owen	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

H. 1405. To authorize the governing body of Jefferson County, Alabama, to adopt ordinances or a fire prevention code applying only to fire districts created under Act No. 79 of the Special Session of the Legislature of Alabama of 1966 (Ala. Acts, Special Session 1966, p. 106 et seq.); to provide that such ordinances or code may prescribe plans and specifications for buildings, designed to prevent the occurrence, or spread, of fires in buildings, or to minimize the damages caused by fires; to authorize the governing body of such county to prevent the use of any building in conflict with any such ordinance or fire prevention code; to authorize such governing body to employ inspectors to enforce such ordinances or fire prevention code and to charge inspection fees of the owners of the property inspected; to authorize such governing body to enter into a contract with any fire district, providing for the district to make such inspections and providing for the county to pay the district for such inspections; to provide that any person violating any such ordinance or fire prevention code shall be guilty of a misdemeanor and shall be punished as provided for by Section 327, Title 15, Code of Alabama of 1940; to repeal all laws, or parts of laws, in conflict with this act; and to provide when this act shall become effective.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Pelham	
Bailes	Foshee	McLain	Pierce	
Cook	Gilmore	Malone	Register	
Cooper	Givhan	Noonan	Vacca	
Dominick	Hammond	O'Bannon	Wilder	
Dozier	Hawkins	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1531. To provide for and create the Jefferson County racing commission for the regulation, licensing, and supervision of greyhound racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the pari-mutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violations of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county.

Was read a third time at length and passed.

Yeas 25; Nays 2.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Bailes	Gilmore	Lybrand	Pelham	
Cook	Hammond	McLain	Pierce	
Cooper	Harris	Malone	Register	
Dominick	Horne	Noonan	Vacca	
Dozier	Jones	O'Bannon	Wilson	
Edington	Lindsey			—25

Nays: Messrs. Hawkins, King —2

The Bill:

H. 1697. To fix the compensation or salary of the assistant judges of probate or deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and provide for payment thereof.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, H. B. 1697, to-wit:

#### COMMITTEE AMENDMENT TO H. B. 1697

Amend Section II of House Bill 1697 by deleting the figures "\$17,000" and inserting in lieu thereof the figures "\$13,200".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Owen
Bailes	Gilmore	Lybrand	Pelham
Cook	Givhan	McLain	Vacca
Dominick	Hammond	Malone	Weaver
Dozier	Harris	Noonan	Wilder
Edington	Hawkins	O'Bannon	Wilson
Fine	King		

—25

Nays:

—0

And said Bill, H. B. 1697, as thus amended, was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Littleton	Owen
Bailes	Gilmore	Lybrand	Pelham
Cook	Givhan	McLain	Vacca
Dominick	Hammond	Malone	Weaver
Dozier	Harris	Noonan	Wilder
Edington	Hawkins	O'Bannon	Wilson
Fine	King		

—25

Nays:

—0

The Bill:

H. 2137. To propose an amendment to the Constitution of Alabama authorizing the Mountain Brook School District in Jefferson County to levy and collect, subject to approval of the qualified electors of the said district, a special district ad valorem tax for public school purposes in the said district.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lybrand	Pelham
Bailes	Gilmore	McLain	Pierce
Clark	Hammond	Malone	Register
Cook	Harris	Noonan	Vacca
Cooper	Hawkins	O'Bannon	Wilder
Dominick	King	Owen	Wilson
Fine	Littleton		

—25

Nays:

—0

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Casey:

H. 1993. Relating to domestic stock insurance companies and to provide procedures for adoption and effectuation of plans of exchange

of securities between domestic stock insurance companies and holding companies and between domestic stock insurance companies, holding companies and subsidiaries of holding companies; to provide for approval of such plans of exchange of securities by boards of directors and stockholders, and to require approval by the Superintendent of Insurance upon a public hearing after notice to stockholders and policyholders and to provide a procedure therefor; to provide rights and procedures for dissenting stockholders; and to set forth the effect of such plans for exchange.

Also:

By Messrs. Bassett and Hardin:

H. 176. To provide a state scholarship program to promote the education of nurses at the School of Nursing, Troy State University; and making appropriations therefor.

Also:

By Messrs. Flippo, Hill and Cauthen:

H. 412. To provide a state scholarship program to promote the education of nurses at the School of Nursing of Florence State University; and making appropriations therefor.

Also:

By Messrs. Erdreich, Adwell, Ellis, Weeks, Parker (H), Wallace and Jones (E):

H. 400. To amend Sections 1, 2, 3, and 4 of Act No. 591, H. 140, Page 828, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Also:

By Mr. Reed (T):

H. 378. To amend Sections 1, 2, 3, and 4 of Act No. 590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Also:

By Messrs. Cauthen and Slate:

H. 2343. To abolish justices of the peace and justice courts in both criminal and civil matters and to provide in lieu thereof a court in each county and vesting each with jurisdiction formerly exercised by justices of the peace; providing for additional powers of said court; providing for its officers, and their appointment; providing for the term of office of the judge, his powers, duties, compensation, and for costs and fees in such court; providing for the transfer of all cases pending in justice of the peace court to said court hereby established; providing for additional powers of all of the chief law enforcement officers on duty during certain nighttime hours relating to cases over which the court hereby established has jurisdiction; providing for appeal from said court; providing for procedure, practice and pleading in said court; to provide for the approval of bonds in such matters pending before said court.

Also:

By Messrs. Flippo, Hill and Stewart:

H. 1761. Relating to Securities; providing for the assessment of fees by the Securities Commission upon application for exemptions under the Provisions of Act No. 542, Regular Session, 1959 (Acts 1959, Page 1318, as amended).

Also:

By Messrs. Flippo and Hill:

H. 1760. To amend Section 2(d), (g), 17(a), and 27 of the Securities Act of Alabama (Acts 1959, V. 2, p. 1318, et seq., Act No. 542, Regular Session 1959 as amended by Acts 605 and 740, 1969 Regular Session) so as to further provide for the registration of securities dealers and salesmen, to provide for a change in the statute of limitations for violations of this act, and to further provide for the disposition of revenues collected by the Securities Commission.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1993, 1761 and 1760. To the Committee on Commerce, Transportation and Common Carriers.

H. B.'s 176, 412, 400 and 378. To the Committee on Finance and Taxation.

H. B. 2343. To the Committee on Judiciary.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 2222. To authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 1500 feet of any public hospital of the County, in order to provide parking for employees, hospital staff, and others having business with or visiting such hospital, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy and collect or to fix charges and fees for the use of such off-street parking facility and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McLain	Register	
Bailes	Givhan	Malone	Shelby	
Cook	Hammond	Noonan	Vacca	
Cooper	Harris	O'Bannon	Weaver	
Dominick	Hawkins	Owen	Wilder	
Dozier	Horne	Pierce	Wilson	
Edington	King			—25

Nays: —0

The Bill:

H. 1138. To provide office furniture, supplies, and equipment and a secretary for the District Attorney for the Thirty-seventh Judicial Circuit and to grant certain powers and duties to said secretary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Carr	Foshee	Lindsey	Pierce	
Clark	Gilmore	Littleton	Register	
Cook	Givhan	Lybrand	Weaver	
Cooper	Hammond	McLain	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

H. 1148. To authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries in the 37th Judicial Circuit; and to provide for the taxing and collection of law library fees as item of court costs in cases docketed in certain courts within the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Register	
Bailes	Foshee	McLain	Shelby	
Branyon	Gilmore	Malone	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Hammond	O'Bannon	Wilder	
Dozier	Harris	Owen	Wilson	
Edington	Horne			—25

Nays: —0

The Bill:

H. 2219. Relating to the appointment of the Superintendent of Education by the County School Board in counties having a population of not less than 34,100 and not more than 34,900 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Lybrand	Register	
Bailes	Fine	McLain	Shelby	
Branyon	Hammond	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

*Nays:*

—0

The Bill:

H. 2225. To alter, rearrange and extend the boundary lines and corporate limits of the City of Lanett in Chambers County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	King	Pelham	
Clark	Foshee	Lindsey	Pierce	
Cook	Gilmore	Littleton	Vacca	
Cooper	Givhan	Noonan	Weaver	
Dominick	Hammond	O'Bannon	Wilder	
Dozier	Harris	Owen	Wilson	
Edington	Horne			—25

*Nays:*

—0

The Bill:

H. 2226. To fix the fee for issuance of a pistol permit by the sheriff in Chambers County and for the distribution and use of the revenue derived therefrom.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Clark	Hammond	McLain	Vacca	
Cook	Harris	Malone	Weaver	
Cooper	Horne			—25

*Nays:*

—0

The Bill:

H. 2227. To amend further Section 1 of Act No. 129, S. 54, Special Session 1961 (Acts 1961, p. 2053) as amended by Act No. 605, H. 702, Special Session 1967, (Acts 1967, p. 1394), An Act fixing the compensation of the deputy solicitor of Chambers County.

Was read a third time at length and passed.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Wilson	
Edington	Horne			—25

Nays:

—0

The Bill:

H. 2211. To alter and rearrange the boundary lines of the City of Stevenson, Jackson County, Alabama, so as to exclude certain territory now within the corporate limits of said City and annex certain other territory not now within the corporate limits of said City.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Register	
Clark	Foshee	McLain	Shelby	
Cook	Gilmore	Malone	Vacca	
Cooper	Hammond	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2314. To amend Act No. 178, H. 21 of the 1961 Special Session (Acts 1961, p. 2147), which authorizes each county to promote its development by acquiring and leasing property suitable for certain industrial and commercial purposes and for the purpose of financing such acquisition to issue revenue bonds and pledge to the payment of such bonds the rentals of such properties, amending the titles and Sections 1, 2, 3 and 4 of such act so as to authorize counties having populations of not less than 54,500 nor more than 56,000, according to the most recent federal decennial census, to acquire properties suitable for facilities for the federal government and to lease such properties to the federal government in the same manner authorized for other projects under this act; and to exempt bonds issued hereunder from the usury laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Givhan	Malone	Register	
Carr	Harris	Noonan	Shelby	
Clark	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays:

—0

The Bill:

H. 2336. To authorize each municipality at any time having a population as great as 70,000 and not exceeding 135,000, according to the then next preceding Federal Census, to acquire, own, improve, maintain, and operate within the county in which such municipality is located, a public transit system for the transportation of passengers for hire; to provide that any such municipality shall have the power to expend moneys with respect to any such system; and to provide for the use by any such municipality of public roads in the said county in the operation of such system.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Littleton	Owen	
Bailes	Foshee	Lybrand	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Malone	Vacca	
Clark	Hammond	Noonan	Weaver	
Cook	Jones	O'Bannon	Wilder	
Edington	Lindsey			—25

Nays:

—0

The Bill:

S. 1026. Relating to Circuits composed of one County having a population of not less than 110,000 nor more than 160,000: To create and establish therein the office of ex-officio judge of any county court exercising original jurisdiction over general misdemeanor cases.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Pierce	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

Nays:

—0

The Bill:

H. 2262. Relating to the residence of employees of municipalities having a population of not less than 50,000 nor more than 60,000, according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	Malone	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Weaver	
Cooper	King			—25

*Nays:* —0

The Bill:

H. 2240. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent Federal decennial census; to designate the chairman of Solid Waste and Park and Recreation Authorities in such counties; to authorize Solid Waste and Park and Recreation Authorities in such counties to adopt bylaws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	Lybrand	Vacca	
Cooper	Hawkins	Malone	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

*Nays:* —0

The Bill:

H. 475. To amend the title and Section 1 of Act No. 329, H. 592, Regular Session 1961 (Acts 1961, p. 356), which Act imposes additional duties upon the members of the county commission and provides for compensation therefor in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Malone	Register	
Carr	Gilmore	Noonan	Shelby	
Clark	Givhan	O'Bannon	Vacca	
Cook	Horne	Owen	Weaver	
Cooper	Jones			—25

*Nays:* —0

The Bill:

H. 478. To amend the title and Section 1 of Act No. 105, H. 233, Regular Session 1969 (Acts 1969, p. 386), which Act provides for the appointment and terms of office of the directors of hospital associations in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Hammond	Littleton	Register
Carr	Harris	Lybrand	Weaver
Clark	Hawkins	McLain	Wilder
Cook	Horne	Owen	Wilson
Cooper	Jones		

—25

Nays: —0

The Bill:

H. 763. To amend the title and Section 1 of Act No. 338, H. 705, Regular Session 1969 (Acts 1969, p. 711), which act fixes the per diem pay for members of the board of equalization of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Register
Bailes	Foshee	Lindsey	Sneyby
Branyon	Gilmore	Littleton	Vacca
Carr	Givhan	Lybrand	Weaver
Clark	Hammond	McLain	Wilder
Cook	Harris	Malone	Wilson
Cooper	Horne		

—25

Nays: —0

The Bill:

H. 764. To amend the title and Sections 1, 2 and 3 of Act No. 337, H. 704, Regular Session 1969 (Acts 1969, p. 709), which Act regulates and provides for the compensation of certain officers and provides for the operation of their offices in certain counties on a population basis, amending such Act relative to the population of the counties in which it applies and the amount of the compensation and clerk hire allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Clark	Foshee	Lindsey	Pierce
Cook	Gilmore	Malone	Vacca
Cooper	Givhan	Noonan	Weaver
Dominick	Hammond	O'Bannon	Wilder
Dozier	Harris	Owen	Wilson
Edington	Horne		

—25

Nays: —0

The Bill:

H. 765. To amend the title and Section 1 of Act No. 437, H. 774, Regular Session 1969 (Acts 1969, p. 864), which Act provides for the

incorporation, management, authorization, and operation of an authority to provide installations for the amusement, entertainment, recreation, and cultural development of the citizens of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Givhan	Lybrand	Shelby	
Dominick	Hammond	McLain	Wilder	
Dozier	Harris	Owen	Wilson	
Edington	Horne			—25

*Nays:*

—0

The Bill:

H. 1884. To amend Section 2 of Act No. 52, H. 302, Regular Session 1971, approved June 30, 1971, an act relating to municipalities having a commission form of government and having populations of not less than 20,000 nor more than 32,000, and providing for the election of the commissioners, so as to provide that such commissioners shall qualify and run for specific seats on the commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Register	
Bailes	Hammond	Littleton	Shelby	
Branyon	Harris	Noonan	Vacca	
Clark	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	King			—25

*Nays:*

—0

The Bill:

H. 1854. Relating to counties having populations of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; and providing for an expense allowance for the superintendent of education in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Vacca	
Dominick	Hammond	Malone	Wilson	
Dozier	Harris			—25

*Nays:*

—0

## The Bill:

H. 1855. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; regulating the insuring of the public hospital and health center buildings and the contents thereof in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Bailes	Fine	McLain	Shelby	
Branyon	Foshee	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

## Nays:

—0

## The Bill:

H. 1856. To provide for the appointment of Deputy District Attorneys for Henry County, Alabama, to redesignate the office of County or Deputy Solicitor as the office of Deputy District Attorney; and to provide for the appointment, duties and compensation of such officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Wilder	
Dominick	Hammond	Owen	Wilson	
Dozier	Harris			—25

## Nays:

—0

## The Bill:

H. 1857. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 13,200 nor more than 13,400.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	McLain	Register	
Bailes	Foshee	Malone	Shelby	
Clark	Harris	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dominick	Horne	Owen	Wilder	
Dozier	Jones	Pierce	Wilson	
Edington	Lybrand			—25

## Nays:

—0

## The Bill:

H. 2031. Relating to counties having populations of not less than 15,400 nor more than 15,625, according to the most recent federal decennial census; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lybrand	Pierce	
Clark	Foshee	McLain	Register	
Cook	Gilmore	Malone	Vacca	
Cooper	Hammond	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

## Nays:

—0

## The Bill:

H. 1858. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Vacca	
Dominick	Hammond	Cwen	Wilson	
Dozier	Harris			—25

## Nays:

—0

## The Bill:

H. 2032. Relating to counties having populations of not less than 15,400 nor more than 15,625; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Hammond	Lybrand	Shelby	
Clark	Hawkins	McLain	Weaver	
Cook	Horne	Owen	Wilder	
Edington	Jones			—25

## Nays:

—0

## The Bill:

S. 1102. To amend the title and Section 1 of Act No. 237, H. 274, First Special Session 1964 (Acts 1964, p. 322), as last amended, which provides expense allowances for the chairman or presiding judge and members of the governing body in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Clark	Gilmore	McLain	Shelby	
Cook	Givhan	Noonan	Vacca	
Cooper	Hammond	Owen	Weaver	
Dozier	Hawkins	Pelham	Wilder	
Edington	King			—25

## Nays:

—0

## The Bill:

S. 1125. Relating to Barbour County; providing for payment of salaries and expenses of sheriff's office relating to maintaining traffic control and law and order in County from Highway and Traffic Fund of Barbour County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	McLain	Pierce	
Branyon	Foshee	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

## Nays:

—0

## The Bill:

S. 1126. To amend Act No. 1174, H. 1047, Regular Session, 1969, so as to provide further for the appointment and compensation of deputies, jailors, and assistants of the sheriff of Barbour County and repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Vacca	
Dominick	Hammond	Malone	Weaver	
Dozier	Harris			—25

Nays: —0

The Bill:

S. 1127. To provide for all monies in the public highway and traffic fund of Barbour County to be transferred to the general fund of the county; authorizing the transfer of certain monies hereafter accruing in said public highway and traffic fund to the general fund of said county, at the discretion of the county governing body and providing for the use of such monies so transferred.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Bailes	Gilmore	Lybrand	Shelby	
Branyon	Hammond	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 1128. To authorize the governing body of Barbour County to appropriate funds out of the county highway and traffic fund for expenses necessary for the construction and maintenance of roads.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Bailes	Givhan	McLain	Pierce	
Branyon	Hammond	Malone	Vacca	
Clark	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 1146. To fix the salary for the County Solicitor (Deputy District Attorney) of DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lybrand	Register	
Clark	Foshee	McLain	Shelby	
Cook	Gilmore	Malone	Vacca	
Cooper	Hammond	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 1147. To alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Hammond	Lybrand	Vacca	
Clark	Hawkins	McLain	Weaver	
Cook	Horne	Owen	Wilder	
Cooper	Jones			—25

Nays: —0

The Bill:

S. 1148. Relating to DeKalb County; to provide for juries composed of six members for trial of certain cases in the DeKalb County Court.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Noonan	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Hammond	Lybrand	Register	
Clark	Hawkins	McLain	Wilder	
Cook	Horne	Malone	Wilson	
Cooper	Jones			—25

Nays: —0

The Bill:

S. 1149. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	McLain	Shelby	
Branyon	Gilmore	Malone	Vacca	
Cooper	Hammond	Noonan	Weaver	
Dominick	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

*Nays:* —0

The Bill:

S. 1150. To repeal Act No. 410, H. 138, 1969 Regular Session, pertaining to off street parking facilities in cities of not less than 100,000 nor more than 150,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Hammond	Noonan	Shelby	
Cook	Hawkins	O'Bannon	Vacca	
Dozier	Jones	Owen	Wilder	
Edington	King			—25

*Nays:* —0

The Bill:

S. 1151. To repeal Act No. 231, 1969 Regular Session, pertaining to compensation of recorders court judges in cities of not less than 100,000 nor more than 200,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Gilmore	McLain	Shelby	
Cook	Hammond	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	King			—25

*Nays:* —0

The Bill:

S. 1152. To repeal Act No. 417, 1957 Regular Session, pertaining to salaries of commission or council members in cities of not less than 125,000 nor more than 250,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Gilmore	Littleton	Register	
Carr	Hammond	McLain	Shelby	
Cook	Hawkins	Noonan	Vacca	
Dominick	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilder	
Edington	King			—25

Nays: —0

The Bill:

S. 1153. To repeal Act No. 480, H. 871, 1961 Regular Session, approved August 8, 1961, pertaining to planning and zoning in incorporated cities having a population of not less than 100,000 nor more than 200,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Palham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Shelby	
Carr	Givhan	Noonan	Vacca	
Clark	Harris	O'Bannon	Wilder	
Cooper	Horne	Owen	Wilson	
Dozier	King			—25

Nays: —0

The Bill:

S. 1154. To repeal Act No. 484, H. 932, 1961 Regular Session, pertaining to employees of waterworks or other boards in all cities of 100,000 nor more than 200,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Shelby	
Carr	Hammond	McLain	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1155. To repeal Act No. 486, H. 939, 1961 Regular Session, pertaining to retirement systems in cities exceeding 100,000 and not exceeding 200,000.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Pierce	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—25

*Nays:* —0

The Bill:

S. 1156. To repeal Act No. 463, H. 869, 1961 Regular Session, requiring cities of not less than 100,000 nor more than 200,000 to become organized under the commission form of government.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Lindsey	Register	
Bailes	Gilmore	Littleton	Shelby	
Carr	Givhan	McLain	Vacca	
Clark	Harris	Noonan	Weaver	
Cooper	Horne	Owen	Wilder	
Dominick	Jones	Pelham	Wilson	
Edington	King			—25

*Nays:* —0

The Bill:

S. 1157. To repeal Act No. 407, 1961 Regular Session, pertaining to counties having populations of 150,000 and less than 300,000 in which there is an incorporated city having a population of 100,000 and less than 200,000, and having to do with appointment of a humane officer.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Givhan	Lindsey	Register	
Clark	Hammond	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

*Nays:* —0

**The Bill:**

S. 1158. To repeal Act No. 65, S. 290, approved July 12, 1971, Regular Session 1971, entitled, "An Act To prohibit the use of steel traps and similar devices in counties having a population of not less than 38,100 nor more than 40,500, and in counties having a population of not less than 41,750 nor more than 45,000, according to the most recent federal decennial census, and to prescribe punishment for the violation of this Act."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	McLain	Pierce	
Carr	Gilmore	Malone	Register	
Cook	Hammond	Noonan	Shelby	
Dominick	Hawkins	O'Bannon	Vacca	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

**Nays:**

—0

**The Bill:**

S. 1159. To repeal Act No. 111, S. 49, approved May 11, 1971, Special Session 1971, entitled, "An Act To prohibit commercial fishing in counties having populations of not less than 15,400 nor more than 15,625, except by residents and/or voters of such counties."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Littleton	Register	
Carr	Hammond	Noonan	Shelby	
Clark	Hawkins	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

**Nays:**

—0

**The Bill:**

S. 1161. To amend the title and Section 1 of Act No. 947, H. 1370, Regular Session 1969 (Acts 1969, p. 1681), which Act provides further to all counties having populations of less than 10,660, according to the most recent federal decennial census; to authorize and direct the county governing body of any such counties to allow and pay to the sheriff of said county an amount not in excess of four hundred dollars (\$400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business of the county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pelham	
Branyon	Fine	McLain	Pierce	
Clark	Foshee	Malone	Register	
Cook	Harris	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Weaver	
Dozier	Jones			—25

*Nays:* —0

The Bill:

S. 1162. To amend the title and Section 1 of Act No. 946, H. 1369, Regular Session 1969 (Acts 1969, p. 1680), which Act provides further for the annual salary of the chief deputy sheriff in all counties having populations of less than 10,660, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Foshee	Littleton	Pierce	
Branyon	Givhan	McLain	Register	
Clark	Harris	Noonan	Shelby	
Cook	Horne	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilder	
Edington	King	Pelham	Wilson	
Fine	Lindsey			—25

*Nays:* —0

The Bill:

S. 1163. To amend the title and Section 1 of Act No. 779, H. 847, Regular Session 1969 (Acts 1969, p. 1394), which Act provides further for reimbursing the members of the county governing bodies of all counties having populations of less than 10,660, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Foshee	Lybrand	Shelby	
Cook	Givhan	Malone	Weaver	
Cooper	Harris	Noonan	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

*Nays:* —0

## RECESS

At 11 o'clock A. M., on motion of Mr. Cooper, the Senate took a recess until 11:30 A. M., for the purpose of hearing an address by His Excellency, Governor George C. Wallace.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

## BILLS ON THIRD READING RESUMED

## The Bill:

S. 1164. To amend the title and Section 1 of Act No. 945, H. 1368, Regular Session, 1969 (Acts 1969, p. 1680), which Act provides further for all counties having populations of less than 10,660, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	McLain	Shelby	
Clark	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

## Nays:

—0

## The Bill:

S. 1165. To amend the title and Section 1 of Act No. 267, H. 63, Special Session 1961 (Acts 1961, p. 2283), which Act provides further for use of certain earmarked or dedicated school revenues for general educational purposes, including payment of teachers' salaries, in counties having populations of less than 10,660; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

## Yeas:

Messrs.:	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Gilmore	Noonan	Weaver	
Cooper	Givhan	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

## Nays:

—0



The Bill:

S. 1166. To amend the title and Section 1 of Act No. 949, H. 1372, Regular Session 1969 (Acts 1969, p. 1682), which Act provides further to fix the compensation of the deputy solicitors of all counties having populations of less than 10,660, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Pierce	
Branyon	Fine	Lybrand	Shelby	
Clark	Foshee	Malone	Vacca	
Cook	Gilmore	Noonan	Weaver	
Cooper	Givhan	O'Bannon	Wilder	
Dominick	Harris	Owen	Wilson	
Dozier	Horne			—25

Nays: —0

The Bill:

S. 1167. To amend the title and Section 1 of Act No. 948, H. 1371, Regular Session 1969 (Acts 1969, p. 1681), which Act provides further for clerical assistants to the judge of probate in all counties having populations of less than 10,660, according to the most recent federal decennial census; and to provide that their compensation shall be payable out of the county treasury.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Pelham	
Branyon	Fine	McLain	Pierce	
Clark	Foshee	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 1168. Applicable to counties having a population of not less than 115,000 and not more than 150,000 inhabitants according to the last or any succeeding Federal census; to authorize the incorporation in each such county of one or more public corporations for public hospital purposes; to provide the method of effecting the incorporation of such a corporation and electing the members of its board of directors and its officers and providing for their terms of office; to specify the qualifications of such members, the powers and procedure of such board of directors, and the powers of such corporation; to authorize the issuance by such corporation of securities and the mortgage and pledge of its properties, revenues and receipts as security therefor; to provide for the priority of such pledges; to provide that such securities shall be

solely an obligation of such corporation; to provide that securities of such corporation shall be negotiable instruments and shall be eligible for investment of trust funds; to exempt from taxation all such securities, the income therefrom, all instruments executed as security therefor, all conveyances to such corporation, and the income and properties of such corporation; to authorize the investment of fiduciary funds in securities of such corporation; to provide for the dissolution of such corporation; and to authorize the county in which such corporation may be organized and any municipality located in such county to transfer and convey to such corporation, without consideration or election therefor, hospitals, other public health facilities, and funds raised or allocated for hospital purposes and to provide that this act shall be independent and cumulative.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Shelby	
Carr	Givhan	McLain	Weaver	
Clark	Hammond	O'Bannon	Wilder	
Cook	Harris	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

S. 1171. To repeal Act No. 428, 1961 Regular Session; pertaining to each county in the state which has a population of not less than 150,000 and not more than 300,000, creating and establishing a personnel department.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Littleton	Register	
Branyon	Gilmore	McLain	Shelby	
Clark	Hammond	Noonan	Vacca	
Cooper	Hawkins	O'Bannon	Weaver	
Dozier	Jones	Owen	Wilder	
Edington	King			—25

Nays: —0

The Bill:

S. 1174. To repeal Act No. 125, H. 319, approved July 1, 1969, Regular Session 1969 (Acts 1969, p. 401), entitled, "An Act To apply only in counties having populations of not less than 25,800 nor more than 26,700; provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	McLain	Pierce	
Branyon	Foshee	Malone	Register	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

*Nays:* —0

The Bill:

S. 1175. To amend the title and Section 1 of Act No. 703, H. 966, Regular Session 1965 (Acts 1965, p. 1305) which provides further for the selection of textbooks and instructional materials for use in the public schools in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Givhan	Littleton	Shelby	
Carr	Harris	McLain	Weaver	
Clark	Hawkins	Malone	Wilder	
Cook	Horne	O'Bannon	Wilson	
Cooper	Jones			—25

*Nays:* —0

The Bill:

S. 1176. To establish the salary of the solicitor of the Intermediate Court in counties having a population of not less than 55,500 nor more than 56,500, according to the most recent Federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Jones	Owen	
Bailes	Edington	King	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	Lybrand	Shelby	
Cooper	Givhan	O'Bannon	Wilson	
Dominick	Horne			—25

*Nays:* —0

The Bill:

S. 1178. To provide for the manner and procedure for the election of members of the Madison County Commission or like governing body that may be created for Madison County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Hawkins	Noonan	Weaver	
Clark	Horne	O'Bannon	Wilder	
Cook	Jones	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

S. 1180. To amend all general laws heretofore passed by the Legislature of Alabama, which according to their terms apply only to counties having a population of not less than 110,000 nor more than 165,000 according to the last or most recent federal census, and not heretofore amended so as to change the population classification to which said Acts apply, and not heretofore repealed, with the exception of Act No. 22, H. 108, approved August 19, 1964, as amended, which is expressly excepted from the operation thereof, so as to change the classification thereof to apply only to counties having a population of not less than 170,000 nor more than 300,000, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Register	
Bailes	Foshee	Littleton	Shelby	
Cook	Harris	McLain	Vacca	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1183. To amend the title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. 1, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Branyon	Edington	King	Pelham	
Carr	Fine	Lindsey	Pierce	
Clark	Foshee	Littleton	Register	
Cook	Harris	Lybrand	Shelby	
Cooper	Hawkins	O'Bannon	Wilson	
Dominick	Horne			—25

Nays: —0

The Bill:

S. 1186. Further regulating the meetings of the county board of registrars in Morgan County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Register	
Clark	Foshee	McLain	Shelby	
Cook	Gilmore	Malone	Vacca	
Cooper	Givhan	Noonan	Weaver	
Dominick	Harris	O'Bannon	Wilder	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 1187. To repeal Act No. 979, S. 396, 1961 Regular Session, pertaining to proportion of contribution between counties and municipalities to budget of county health department.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Register	
Carr	Givhan	Noonan	Shelby	
Clark	Hammond	O'Bannon	Vacca	
Cook	Harris	Owen	Wilson	
Cooper	King			—25

Nays: —0

The Bill:

S. 1188. To repeal Act No. 1216, H. 1478, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, providing that such municipalities may authorize municipal electric utility boards to make certain expenditures without prior consent and approval of the governing body.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	McLain	Vacca	
Carr	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

The Bill:

S. 1189. To provide that any bank having an office or authorized place of business in DeKalb County, Alabama may, with the approval of the Superintendent of Banks of the State of Alabama, establish, maintain and operate one or more branch banks, offices or places of business in said county for the transaction of the business of banking.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	McLain	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Hammond	Noonan	Shelby	
Clark	Hawkins	O'Bannon	Vacca	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

Nays: —0

The Bill:

S. 1190. To amend Act No. 1191, Regular Session 1969, an act applying only in counties having populations not less than 300,000 nor more than 500,000 and providing for the establishment of the Juvenile Division of the Circuit Court of the circuit composed of the county in which such Juvenile Court exists.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Branyon	Gilmore	Lybrand	Register	
Carr	Givhan	McLain	Shelby	
Clark	Horne	Noonan	Vacca	
Cook	Jones	Owen	Weaver	
Edington	King			—25

Nays: —0

The Bill:

S. 1192. To amend the title and Section 1 of Act No. 37, S. 69, Special Session 1964 (Acts 1964, p. 58) which regulates the compensation of jurors in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pierce	
Bailes	Foshee	Lybrand	Register	
Carr	Givhan	Malone	Shelby	
Cook	Harris	O'Bannon	Vacca	
Cooper	Horne	Owen	Weaver	
Dozier	Jones	Pelham	Wilder	
Edington	King			—25

Nays: —0

The Bill:

S. 1193. To amend the title and Sections 1 and 2 of Act No. 932, H. 1346, Regular Session 1969 (Acts 1969, p. 1670) which establishes the procedure for the selection of a depository of the funds of the Board of Education and fixes the compensation for the members of the County Board of Education in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lindsey	Register	
Bailes	Foshee	McLain	Shelby	
Carr	Hammond	Malone	Vacca	
Cook	Harris	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25

Nays: —0

The Bill:

S. 1194. To amend the title and Section 1 of Act No. 213, H. 431, Regular Session 1969 (Acts 1969, p. 533) which provides for payment of in-county travel expenses for county commissioners, payable from the county treasury in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Cook	Dozier	Hammond
Bailes	Cooper	Edington	Harris
Carr	Dominick	Givhan	Hawkins

Horne	Malone	Pelham	Shelby	
Jones	Noonan	Pierce	Wilder	
Lybrand	O'Bannon	Register	Wilson	
McLain	Owen			—25
<i>Nays:</i>				—0

**The Bill:**

S. 1195. To amend the title and Section 1 of Act No. 62, H. 610, Regular Session 1969 (Acts 1969, p. 354) which provides for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Malone	Register	
Cook	Gilmore	Noonan	Shelby	
Cooper	Hawkins	O'Bannon	Vacca	
Dominick	Horne	Owen	Wilson	
Dozier	Jones			—25
<i>Nays:</i>				—0

**The Bill:**

S. 1196. To repeal Act No. 641, S. 543, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1161), entitled, "An Act To apply in counties having populations of not less than 25,400 nor more than 25,675, fixing the compensation of the clerk of the register and providing for payment thereof."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Cook	Gilmore	Lybrand	Shelby	
Cooper	Givhan	McLain	Vacca	
Dominick	Hammond	Malone	Wilson	
Dozier	Harris			—25
<i>Nays:</i>				—0

**The Bill:**

S. 1197. To amend the title and Section 1 of Act No. 614, H. 1158, Regular Session 1965 (Acts 1965, p. 1128) which fixes the compensation of the clerk of the register and provide for payment thereof in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.



Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Littleton	Pierce
Carr	Foshee	McLain	Shelby
Cook	Gilmore	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 1199. To repeal Act No. 38, H. 63, approved March 16, 1965, Special Session 1965 (Acts 1965, p. 58) as amended entitled, "An Act To provide for the payment of an expense allowance to members, including the Chairman or Ex-Officio Chairman, of the Board of Revenue, Court of County Commissioners or other like governing body of all counties having a population of not less than 25,800 nor more than 26,700, according to the last or any subsequent federal decennial census."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Carr	Foshee	Littleton	Register
Cook	Gilmore	Lybrand	Shelby
Cooper	Givhan	O'Bannon	Vacca
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 1198. To amend the title and Section 1 of Act No. 38, S. 70, Special Session 1964, (Acts 1964, p. 58) which regulates the pay of election officers in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Edington	Lybrand	Register
Bailes	Givhan	McLain	Shelby
Carr	Hammond	Malone	Vacca
Cook	Harris	Noonan	Weaver
Cooper	Hawkins	O'Bannon	Wilder
Dominick	Horne	Owen	Wilson
Dozier	Jones		

—25

Nays:

—0

The Bill:

S. 1200. To amend the title and Section 1 of Act No. 602, H. 1162, Regular Session 1961 (Acts 1961, p. 713) which fixes the compensation of the coroner in certain counties classified on a population basis.

was taken up.

Mr. Dozier offered the following substitute for the Bill, S. B. 1200, to-wit:

# SUBSTITUTE FOR S. B. 1200

## A BILL TO BE ENTITLED AN ACT

To amend the title and Section 1 of Act No. 602, H. 1162, Regular Session 1961 (Acts 1961, p. 713) which fixes the compensation of the coroner in certain counties classified on a population basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 602, H. 1162, Regular Session 1961 (Acts 1961, p. 713) is amended to read as follows:

"An Act To fix the compensation of the coroner in any county in Alabama having a population of not less than 24,900 nor more than 25,150 according to the most recent decennial federal census."

Section 2. Section 1 of said Act No. 602, H. 1162, is amended to read as follows:

"Section 1. The coroner in any county in Alabama having a population of not less than 24,900 nor more than 25,150 according to the most recent decennial federal census shall be paid a salary of six hundred dollars (\$600) a year, payable in equal monthly installments out of the general fund of the county on warrants drawn upon the general funds of the county in the manner prescribed by law."

Section 3. This Act shall become effective September 1, 1971.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Cooper	Harris			—25

Nays: —0

And said Bill, S. B. 1200, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Malone	Weaver	
Cooper	Harris			—25

*Nays:* —0

The Bill:

S. 1201. To amend the title and Section 1 of Act No. 146, H. 446, Regular Session 1961 (Acts 1961, p. 189) which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Fine	Littleton	Pierce	
Bailes	Foshee	McLain	Register	
Branyon	Givhan	Noonan	Shelby	
Carr	Harris	O'Bannon	Vacca	
Clark	Horne	Owen	Weaver	
Cook	Jones	Pelham	Wilder	
Dozier	King			—25

*Nays:* —0

The Bill:

S. 1202. To amend the title and Section 1 of Act No. 858, H. 1180, Regular Session 1969 (Acts 1969, p. 1564) which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	Lindsey	Register	
Bailes	Fine	Lybrand	Shelby	
Branyon	Foshee	Malone	Vacca	
Carr	Givhan	Noonan	Weaver	
Clark	Harris	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

*Nays:* —0

The Bill:

S. 1203. To amend the title and Section 1 of Act No. 720, H. 1235, Regular Session 1965 (Acts 1965, p. 1325) which provides an expense allowance for the superintendent of education in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Register
Bailes	Fine	McLain	Shelby
Branyon	Hammond	Malone	Vacca
Carr	Harris	Noonan	Weaver
Clark	Hawkins	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Cooper	Jones		

—25

*Nays:*

—0

*The Bill:*

S. 1204. To amend the title and Section 1 of Act No. 568, H. 904, Regular Session 1967 (Acts 1967, p. 1322) which authorizes the boards of education to purchase sites for, construction, erect and equip and operate technical and special schools within city school systems in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0

*Yeas:*

Messrs.:	Dozier	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Hammond	Malone	Vacca
Carr	Harris	Noonan	Weaver
Clark	Hawkins	O'Bannon	Wilder
Cook	Horne	Owen	Wilson
Cooper	Jones		

—25

*Nays:*

—0

*The Bill:*

S. 1205. To amend the title and Section 1 of Act No. 556, H. 540, Regular Session 1967 (Acts 1967, p. 1312) which provides that the Board of Education is authorized to expend public school funds for the purpose of purchasing a site and providing suitable and adequate office facilities for the county superintendent of education and the central office staff in certain counties classified on a population basis.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

*Yeas:*

Messrs.:	Dozier	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Noonan	Weaver
Clark	Givhan	O'Bannon	Wilder
Cook	Hammond	Owen	Wilson
Cooper	Jones		

—25

*Nays:*

—0

**The Bill:**

S. 1206. To repeal Act No. 110, H. 426, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 490), entitled, "An Act To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Dozier	King	Pelham	
Bailes	Fine	McLain	Shelby	
Branyon	Hammond	Malone	Vacca	
Carr	Harris	Noonan	Weaver	
Clark	Hawkins	O'Bannon	Wilder	
Cook	Horne	Owen	Wilson	
Cooper	Jones			—25

**Nays:** —0

**The Bill:**

S. 1207. Relating to counties having a population of not less than 41,750 nor more than 45,000 according to the most recent federal decennial census; to provide for a clerk hire allowance for the Board of Registrars of said counties.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

**Yeas:**

Messrs.:	Fine	King	Pelham	
Bailes	Foshee	Lindsey	Pierce	
Branyon	Gilmore	Malone	Register	
Carr	Hammond	Noonan	Shelby	
Clark	Hawkins	O'Bannon	Vacca	
Dozier	Horne	Owen	Wilson	
Edington	Jones			—25

**Nays:** —0

**The Bill:**

S. 1208. Relating to all counties having a population of not less than 110,000 nor more than 160,000 according to the most recent or any subsequent decennial census: To regulate further the employment of a clerk for the jury commission; to provide for and regulate the employment, discharge, compensation and duties of such clerk; to provide that such clerk shall be employed by the judges of the circuit court of said respective county and he shall be paid out of the county treasury and furnished office space, equipment and supplies by the county governing body.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Pierce	
Cook	Harris	Malone	Shelby	
Cooper	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	Littleton			—25

Nays: —0

The Bill:

S. 1209. Relating to Dale County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws, subject to the ratification of a constitutional amendment.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	McLain	Register	
Branyon	Harris	Malone	Vacca	
Carr	Hawkins	Noonan	Weaver	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 944. To further amend the title and Section 1 of Act No. 463, H. 986, approved September 9, 1955 (Acts 1955, p. 1053), as last amended, which relates to the territorial limits of the police jurisdiction outside the corporate limits of cities in certain counties classified on a population basis.

Also:

H. 945. To amend the title and Section 1 of Act No. 139, H. 337, Regular Session 1961 (Acts 1961, p. 177), which fixes the time of holding meetings of the county governing bodies of certain counties classified on a population basis.

Also:

H. 946. To amend the title and Section 1 of Act No. 308, H. 566, Regular Session 1965 (Acts 1965, p. 424), which provides an expense allowance for the coroners of certain counties classified on a population basis.

Also:

H. 947. To amend the title and Section 1 of Act No. 303, H. 537, Regular Session 1965 (Acts 1965, p. 420), which provides pay raises for deputy sheriffs and other assistants of the sheriffs of certain counties classified on a population basis.

Also:

H. 948. To amend the title and Section 1 of Act No. 61, S. 128, Special Session 1964 (Acts 1964, p. 84), which fixes and regulates the payment of the fees of jurors in certain counties classified on a population basis.

Also:

H. 950. To amend the title and Section 1 of Act No. 227, H. 333, Regular Session 1961 (Acts 1961, p. 260), which fixes the compensation of members of the jury commissions of certain counties classified on a population basis.

Also:

H. 952. To further amend the title and Section 1 of Act No. 461, H. 984, approved September 9, 1955 (Acts 1955, p. 1051), as last amended, which relates to the exemption of purchases of medical, surgical, and hospital supplies from any system of competitive bidding in certain counties classified on a population basis.

Also:

H. 1238. To repeal Act No. 516, H. 1029, approved August 21, 1969, entitled, "An Act relating to counties having a population of not less than 24,800 nor more than 25,400 according to the most recent Federal Decennial Census; to authorize the county governing body of any such county to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law." (Acts of Alabama, Regular Session, 1969, p. 992)

Also:

H. 1239. To repeal Act No. 621, H. 1201, approved August 26, 1965, entitled, "An Act to apply only in counties having populations of not less than 24,800 nor more than 25,400, according to the most recent federal decennial census; regulating the mileage allowance of members of the court of county commissioners, board of revenue, or other like governing body of such counties." (Acts of Alabama, 1965, p. 1135).

Also:

H. 1241. To amend Section 4 of Act No. 125, H. 112, First Special Session 1965 (Acts of Alabama, 1965 First Special Session, P. 177), which Act provided for the position of clerk-secretary to the circuit solicitor of the 30th Judicial Circuit, so as to increase the salary of said clerk-secretary.

Also:

H. 1278. To amend the title and Section 1 of Act No. 141, H. 142, Special Session 1969 (Acts 1969, p. 206), which provides for the traveling expenses of the sheriff and constable of the county court for serving summons or other mesne process, except subpoenas for witnesses, in certain counties classified on a population basis.

Also:

H. 1279. To amend the title and Section 1 of Act No. 373, H. 930, Regular Session 1969 (Acts 1969, p. 741), which provides for taxing, collecting, and remitting of circuit court costs by the town or cities located in certain counties classified on a population basis when a case has been appealed from certain courts or certain disposition has been made of the case.

Also:

H. 1280. To amend the title and Section 1 of Act No. 367, H. 915, Regular Session 1969 (Acts 1969, p. 737), which fixes the compensation of officers of the circuit court in certain counties classified on a population basis.

Also:

H. 1281. To amend the title and Section 1 of Act No. 364, H. 912, Regular Session 1969 (Acts 1969, p. 734), which provides for expense allowances for certain officers of certain counties classified on a population basis.

Also:

H. 1282. To amend the title and Section 1 of Act No. 366, H. 914, Regular Session 1969 (Acts 1969, p. 736), which increases the expense allowance of the county judges in certain counties classified on a population basis.

Also:

H. 1283. To repeal Act No. 190, H. 389, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 230), as last amended, entitled, "An Act Relating to counties having a population of not less than 96,000 nor more than 106,000 inhabitants, according to the 1960 or any subsequent federal decennial census; regulating the compensation of members and clerks of jury commissions in such counties."

Also:

H. 1284. To repeal Act No. 412, H. 878, Regular Session 1961 (Acts 1961, p. 429), approved August 7, 1961, as last amended, "An Act To regulate further the compensation and allowances of certain officers of counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census."

Also:

H. 1285. To repeal Act No. 158, H. 399, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 206) entitled, "An Act to fix the compensation of the coroner in any county in Alabama having a population of not less than 96,000 nor more than 106,000 according to the last or any subsequent decennial federal census."

Also:

H. 1286. To repeal Act No. 62, H. 102, approved July 2, 1962, Special Session 1962 (Acts 1962, p. 81) entitled, "An Act to amend Section 1 of Act No. 158, H. 399, approved August 1, 1961 (Acts of Alabama 1961, p. 206) which act regulates the compensation of coroners in counties of not less than 96,000 nor more than 106,000 population, so as to authorize the payment of an expense allowance to the coroner in any such county.



Also:

H. 1287. To repeal Act No. 163, H. 409, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 209) entitled, "An Act to regulate further the county courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census."

Also:

H. 1288. To repeal Act No. 192, H. 391, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 231) entitled, "An Act to provide for the compensation of special bailiffs in the circuit courts of all counties having a population of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census."

Also:

H. 1289. To repeal Act No. 432, H. 752, approved September 2, 1963, Regular Session 1963 (Acts 1963, p. 962) entitled, "An Act to amend Section 2 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, p. 429), relating to certain county officers in counties classified according to population."

Also:

H. 1290. To repeal Act No. 426, H. 466, approved September 2, 1963, Regular Session 1963 (Acts 1963, p. 945), entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000; providing additional expense allowances for certain county officers, payable from the general funds of the county."

Also:

H. 1291. To repeal Act No. 310, H. 554, approved August 28, 1963, Regular Session 1963 (Acts 1963, p. 790), entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000; regulating and providing for payment of expense allowances of constables serving the county court in such counties."

Also:

H. 1292. To repeal Act No. 146, S. 233, approved July 16, 1965, Regular Session 1965 (Acts 1965, p. 213) entitled, "An Act to apply only in counties having populations of not less than 96,000 nor more than 106,000; regulating the compensation of bailiffs serving the circuit courts of such counties."

Also:

H. 1293. To repeal Act No. 167, H. 413, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 211) entitled, "An Act to provide for the appointment and tenure and number, and fixing the compensation, of bailiffs for circuit courts of Alabama in circuits having two circuit judges composed of one county having populations of not less than 96,000 people nor more than 116,000 people according to the last or any subsequent federal decennial census."

Also:

H. 1294. To repeal Act No. 365, H. 913, approved August 12, 1969, Regular Session 1969 (Acts 1969, p. 735), entitled, "An Act Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties."

Also:

H. 1295. To repeal Act No. 451, S. 436, approved September 4, 1963, Regular Session 1963 (Acts 1963, p. 983) entitled, "An Act relating to judicial circuits composed of one county having a population of not less than 96,000 nor more than 108,000; providing a supplemental salary for the judges of such circuits subject to certain contingencies."

Also:

H. 1296. To repeal Act No. 706, H. 1117, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1307), as last amended, entitled, "An Act Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; further regulating the compensation and allowances of certain county officers."

Also:

H. 1297. To repeal Act No. 151, S. 234, approved July 20, 1965, Regular Session 1965 (Acts 1965, p. 216) entitled, "An Act to apply in all counties having populations of not less than 96,000 nor more than 106,000; fixing the term of office of the county license inspector."

Also:

H. 1298. To repeal Act No. 157, S. 276, approved July 23, 1965, Regular Session 1965 (Acts 1965, p. 227) entitled, "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

Also:

H. 1299. To repeal Act No. 318, H. 759, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 438) entitled, "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

Also:

H. 1523. To repeal Act No. 561, H. 396, approved August 25, 1961, Regular Session 1961 (Acts 1961, p. 660), entitled, "An Act Providing further for the operation of the county board of equalization of each county having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board; and providing for the employment of a secretary-appraiser by the board and other employees of the board."

Also:

H. 1524. To repeal Act No. 111, H. 252, approved July 1, 1969, Regular Session 1969 (Acts 1969, p. 391), entitled, "An Act To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education."

JOHN W. PEMBERTON,  
Clerk.

## SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 1547. To further amend Section 1 of Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159) as amended by Act No. 1183, H. 1344, approved September 13, 1969 (Acts of Alabama 1969, Vol. III, Page 2212) entitled "An Act to amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

Also:

H. 1548. To amend the title and Section 1 of Act No. 930, H. 1343, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1668) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500, to provide that the county governing bodies of such counties shall furnish necessary transportation for travel on official business of certain county officers" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census and to provide an effective date.

Also:

H. 1549. To amend the title of Act No. 589, H. 594, approved September 8, 1967 (Acts of Alabama, 1967, Vol. II, Page 1362) entitled "An Act to amend Act No. 616, H. 1163, Regular Session 1965 relating to counties having populations of not less than 48,200 nor more than 49,200 according to the most recent federal decennial census, and making further provisions respecting meetings of the board of registrars in such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

Also:

H. 1550. To amend the title and Section 1 of Act No. 545, S. 604, approved September 7, 1967 (Acts of Alabama, 1967, Vol. II, Page 1294) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500; providing an additional allowance for the tax assessors and tax collectors of such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations

of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

H. 1552. To amend the title and Section 1 of Act No. 182, S. 128, approved August 23, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 215) entitled "An Act to apply only in counties having populations of not less than 48,500 nor more than 49,500 according to the most recent federal decennial census; authorizing the county governing body to contribute county funds towards the construction and equipment of a museum" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

H. 1551. To amend the title and Section 1 of Act No. 60, H. 5, approved August 17, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 82) entitled "An Act to apply only in counties in the state having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

H. 1553. To amend the title and Section 1 of Act No. 354, H. 356, approved September 12, 1966 (Acts of Alabama, Special Session 1966, Vol. I, Page 495) entitled "An Act to apply only in counties having populations of not less than 48,500 nor more than 49,500; regulating official bonds of county officers and employees and repealing conflicting laws" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

H. 1555. To amend the title and Section 1 of Act No. 616, H. 1163, approved August 26, 1965 (Acts of Alabama, 1965, Vol. II, Page 1130) entitled "An Act to regulate further the meeting days and compensation of the county boards of registrars in all counties having populations of not less than 48,200 nor more than 49,200, according to the most recent decennial census" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

H. 1556. To amend the Title and Section 1 of Act No. 171, S. 109, approved April 5, 1965 (Acts of Alabama, Special Session 1965, Vol. I, Page 222) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,750; to provide for payment by the county of per diem allowances to members of boards of registrars in such counties" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

H. 1558. To amend the title and Section 1 of Act No. 180, H. 221, approved August 28, 1964, (Acts of Alabama, Special Sessions 1964, Vol. I, Page 246) entitled "An Act to authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 48,100 nor more than 49,700 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, and to provide an effective date.

Also:

H. 1559. To amend the title and Section 1 of Act No. 363, H. 757, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 383) entitled "An Act to provide contingent funds for all counties having populations of not less than 48,500 nor more than 49,500, and regulating the use of such funds" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

Also:

H. 1560. To amend the title and Section 1 of Act No. 345, H. 639, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 365) entitled "An Act to empower the board of revenue, court of county commissioners, or other like governing body of counties having a population of not less than 48,500 nor more than 49,500 inhabitants, according to the 1960 or any subsequent federal decennial census, to authorize the offices of officials in the courthouse to be closed all day on Saturday each week" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

H. 1561. To amend the title and Section 1 of Act No. 350, H. 644, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 368), entitled "An Act relating to corporations organized to operate municipal water, sewer, gas, and electric systems, regulating further the compensation of members of boards of directors of such corporations in all counties having a population of not less than 48,500 nor more than

49,500, according to the 1960 or any subsequent federal decennial census" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

H. 1562. To amend the title and Section 1 of Act No. 349, H. 643, approved August 7, 1961 (Acts of Alabama 1961, Vol. I, Page 367) entitled "An Act relating to all counties having a population of not less than 48,500 nor more than 49,500 according to the 1960 or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

Also:

H. 1563. To amend the title and Section 1 of Act No. 846, H. 1529, approved September 8, 1961 (Acts of Alabama 1961, Vol. II, Page 1263) entitled "An Act relating to the appointment, duties, and compensation of the county treasurer in all counties having populations of not less than 48,500 nor more than 49,750" so that said Act after passage and approval by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, and to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

#### MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 845. To apply only in counties having populations of not less than 54,500 nor more than 56,000; enabling the County Governing Body to pay dues and expenses to meetings for elected and appointed county officials.

Also:

H. 871. Relating to counties having populations of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Also:

H. 980. To amend Section 1 of Act No. 47, H. 46, Second Special Session 1956 (Acts 1956, p. 339), (codified at Section 125 (91), Title 13, Code of Alabama 1940, Recompiled 1958) which provides a law enforcement fund for the use of the circuit judge and circuit solicitor of the twenty-fourth judicial circuit.

Also:

H. 989. To fix the compensation of bailiffs of courts in all counties having populations of not less than 18,500 nor more than 20,500.

Also:

H. 920. To amend the title and Section 1 of Act No. 686, H. 1094, approved September 20, 1957 (Acts 1957, p. 1037), as last amended, which further defines the police jurisdiction of certain incorporated municipalities situated in certain counties classified on a population basis.

Also:

H. 921. To amend further Section 11 of Title 19, Code of Alabama (1940), as last amended, which relates to the appointment of commissioners in condemnation proceedings and requires probate judges to appoint members of the county board of equalization as commissioners in any proceeding in which the county is a party in certain counties classified on a population basis.

Also:

H. 922. To amend the title and Section 1 of Act No. 127, H. 123, Special Session 1969 (Acts 1969, p. 195), which provides expense allowances to certain municipal officers who are directors of public utility boards in certain counties classified on a population basis.

Also:

H. 826. To repeal Act No. 115, H. 141, Special Session 1967, approved May 5, 1967, entitled "An Act To amend Section 8 of Act No. 231, S. 238, Regular Session 1947 (Gen. Acts 1947, p. 94), an Act to authorize the incorporation of public corporations in municipalities for the purpose of owning and operating athletic and recreational facilities, so as to authorize such corporations to exercise the power of eminent domain within a certain extended area; applying only to counties having a population of 65,000 to 95,000."

Also:

H. 928. To amend the title and Section 1 of Act No. 144, H. 154, Special Session 1969 (Acts 1969, p. 208), which provides an expense allowance for judges of inferior courts in certain counties classified on a population basis.

Also:

H. 923. To amend the title and Section 1 of Act No. 49, H. 79, Special Session 1970 (Acts 1970, p. 2673), which provides for eligibility to hold public office in certain counties classified on a population basis.

Also:

H. 925. To amend the title and Section 1 of Act No. 883, H. 1232, Regular Session 1969 (Acts 1969, p. 1589), which provides clerk hire allowances for the judges of probate and sheriffs of certain counties classified on a population basis.

Also:

H. 926. To amend the title and Section 1 of Act No. 857, H. 1179, Regular Session 1969 (Acts 1969, p. 1563), which fixes the compensation of jury commissions in certain counties classified on a population basis.

Also:

H. 927. To amend Section 1 of Act No. 342, H. 809, Regular Session 1969 (Acts 1969, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis; providing for the taking, catching or killing of raccoons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorized by a rule of the director of conservation; and providing penalties.

Also:

H. 929. To amend the title and Section 1 of Act No. 624, H. 807, Regular Session 1967 (Acts 1967, p. 1429), which authorizes the county governing body of certain counties classified on a population basis, to provide automobiles or automotive equipment for the use of the sheriff and his deputies in performing their duties.

Also:

H. 930. To amend the title and Section 1 of Act No. 600, H. 657, Regular Session 1967 (Acts 1967, p. 1385), which provides for the assessment of ~~ad valorem taxes on real and personal property, the claiming of statutory exemptions thereon, and penalties for failure to comply,~~ relating to certain counties classified on a population basis.

Also:

H. 931. To amend the title and Section 1 of Act No. 562, H. 656, Regular Session 1967 (Acts 1967, p. 1316), which provides an additional and alternative method of assessing, paying taxes on, and issuing license tags for motor vehicles in certain counties classified on a population basis.

Also:

H. 932. To amend the title and Section 1 of Act No. 40, H. 102, Regular Session 1967 (Acts 1967, p. 368), which sets the salary of the clerks of certain inferior courts in certain counties classified on a population basis.

Also:

H. 933. To amend the title and Section 1 of Act No. 39, H. 101, Regular Session 1967 (Acts 1967, p. 367), which provides an expense allowance to be paid out of the general fund for the judges of certain inferior courts in certain counties classified on a population basis.

Also:

H. 934. To amend further the title and Section 1 of Act No. 486, H. 944, Regular Session 1957 (Acts 1957, p. 670) as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

Also:

H. 937. To amend the title and Section 1 of Act No. 199, H. 228, Special Session 1967 (Acts 1967, p. 245), which fixes the compensation of the secretary of the district attorney in certain counties classified on a population basis.



Also:

H. 938. To amend the title and Section 1 of Act No. 44, H. 179, Second Special Session 1965 (Acts 1965, p. 64), which provides additional allowances for the tax collectors of certain counties classified on a population basis.

Also:

H. 939. To amend the title and Section 1 of Act No. 928, H. 1339, Regular Session 1969 (Acts 1969, p. 1667), which provides compensation for the clerk of the intermediate court and for the secretary of the district attorney in certain counties classified on a population basis.

Also:

H. 940. To further amend the title and Section 1 of Act No. 227, H. 234, Regular Session 1967 (Acts 1967, p. 310) as last amended, which provides further for the compensation and allowances of the deputies of the sheriffs of certain counties classified on a population basis.

Also:

H. 941. To amend the title and Section 1 of Act No. 181, H. 344, Regular Session 1961 (Acts 1961, p. 222), which empowers county governing bodies to pay county employees their regular wage or salary while sick or unable to work but not to exceed ten days per annum in certain counties classified on a population basis.

Also:

H. 942. To amend the title and Section 1 of Act No. 182, H. 345, Regular Session 1961 (Acts 1961, p. 223), which provides for payment, additional duties, office space, equipment, furniture, supplies, and services of coroners of certain counties classified on a population basis.

Also:

H. 943. To amend further the title and Section 1 of Act No. 486, H. 944, approved September 10, 1957 (Acts 1957, p. 670), as last amended, which provides further for paid leaves of absence for certain employees of certain counties classified on a population basis.

Also:

H. 936. To amend the title and Section 1 of Act No. 227, H. 234, Special Session 1967 (Acts 1967, p. 310), which provides further for the compensation and allowances of the deputies of the sheriff in certain counties classified on a population basis.

Also:

H. 827. Proposing an amendment to the Constitution of Alabama authorizing the Legislature to provide by local law the manner in which applications for registration to vote in Talladega County shall be made.

JOHN W. PEMBERTON,  
Clerk.

#### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

## MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1596. Relating to cities having a population of not less than 135,000 nor more than 185,000 according to the last or any subsequent federal decennial census; providing that such cities shall be governed by a mayor and five councilmen; providing for the election of the mayor and council of all such cities; further providing for the powers and duties of the mayor in said cities; providing for qualifying fees for each person who is a candidate for office of the mayor and for office of the council in said cities; further providing for the compensation of the mayor within said cities; providing for the appointment by the Mayor of an administrative assistant to the mayor within said cities; and providing for an effective date for this act.

Also:

H. 1685. To alter, re-arrange and extend the boundaries and corporate limits of the city of Montevallo so as to incorporate certain territory as described herein.

Also:

H. 1686. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Also:

H. 1705. To amend Section 12 and 13 of Act Number 418 approved November 13, 1959: To authorize the governing body of DeKalb County, Alabama, to impose an excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitute therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

Also:

H. 797. To provide office furniture, supplies, and equipment and a secretary for the Circuit Judge for the Thirty-seventh Judicial Circuit.

Also:

H. 308. To regulate further the summoning of witnesses in Tuscaloosa County; to provide that witnesses may be subpoenaed by United States mail in Tuscaloosa County under certain conditions; and to prescribe a mileage allowance for officers serving subpoenas to witnesses otherwise than by mail.

Also:

H. 891. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Also:

H. 892. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Also:

H. 935. To amend the title and Section 1 of Act No. 101, H. 99, Regular Session 1967 (Acts 1967, p. 440), which authorizes the sheriff to issue permits for the movement of certain sized houses and objects in certain counties classified on a population basis.

Also:

H. 949. To further amend the title and Section 1 of Act No. 681, S. 291, Regular Session 1965 (Acts 1965, p. 1243), which provides further for the payment and retirement of certain claims against the fine and forfeiture funds of certain counties classified on a population basis.

Also:

H. 951. To amend further the title and Section 1 of Act No. 221, H. 140, approved August 8, 1955 (Acts 1955, p. 531), as last amended, which relates to the power, authority, and jurisdiction of courts pursuant to final judgment upon bail bonds or undertakings in certain counties classified on a population basis.

Also:

H. 1106. To amend the title and Section 1 of Act No. 50, H. 80, Special Session 1970 (Acts 1970, p. 2673), which provides for the salary of the chief deputy sheriff of certain counties classified on a population basis.

Also:

H. 1107. To amend the title and Section 1 of Act No. 495, S. 460, Regular Session 1963 (Acts 1963, p. 1060), which provides for the licensing and regulation of hunting on certain privately owned hunting preserves; prescribes fees for such licenses, collection and distribution thereof, and prescribes penalties for violations, in certain counties on a population basis.

Also:

H. 1108. To amend the title and Section 1 of Act No. 60, S. 125, Special Session 1964 (Acts 1964, p. 83), which provides for contingent funds and regulates the use thereof, in certain counties on a population basis.

Also:

H. 1109. To amend the title and Section 1 of Act No. 251, H. 701, Regular Session 1969 (Acts 1969, p. 583), which abolishes the public highway and traffic funds in the county treasuries and provides for the transfer of such monies to the general fund and for the deposit of certain other monies in such general fund, in certain counties classified on a population basis.

Also:

H. 1110. To amend the title and Section 1 of Act No. 119, H. 348, Regular Session 1967 (Acts 1967, p. 455), which regulates the use of voting machines where previously or subsequently authorized, establishes voting centers, provides for election officers at such centers, and prescribes the duties and fines the compensation for such officers in certain counties classified on a population basis.

Also:

H. 1111. To amend the title and Section 1 of Act No. 341, H. 804, Regular Session 1969 (Acts 1969, p. 713), which provides further for the compensation of certain bailiffs in certain counties classified on a population basis.

Also:

H. 1112. To amend the title and Section 1 of Act No. 503, H. 905, Regular Session 1961 (Acts 1961, p. 602), which regulates the compensation of deputy sheriffs in certain counties classified on a population basis.

Also:

H. 1113. To amend the title and Section 1 of Act No. 110, S. 331, Regular Session 1965 (Acts 1965, p. 171), which further regulates the number and compensation of sheriff's deputies, in certain counties on a population basis.

Also:

H. 1114. To amend the title and Section 1 of Act No. 335, H. 700, Regular Session 1969 (Acts 1969, p. 707), which provides further—for expense allowances to the members and clerk of the governing bodies of certain counties classified on a population basis.

Also:

H. 1115. To amend the title and Section 1 of Act No. 252, H. 702, Regular Session 1969 (Acts 1969, p. 584), which further regulates the number and compensation of deputies and other employees of the sheriffs of certain counties classified on a population basis.

Also:

H. 1116. To amend the title and Section 1 of Act No. 336, H. 703, Regular Session 1969 (Acts 1969, p. 708), which provides an expense allowance for members of the governing body of certain cities classified on a population basis.

Also:

H. 1355. To amend the title and Section 1 of Act No. 255, H. 766, Regular Session 1969 (Acts 1969, p. 587) which relates to the board of directors and compensation thereof of certain municipal corporations in certain municipalities classified on a population basis.

Also:

H. 1511. To fix for the first time since 1957 the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 48,500 nor more than 50,500, according to the most recent federal decennial census, to repeal conflicting laws, and to provide a referendum.

Also:

H. 1513. Relating to Houston County; to provide for the compensation of the board of equalization and fix the number of days they shall meet each year.

Also:

H. 1544. To amend the title and Section 1 of Act No. 898, H. 1265, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1624) entitled "An Act applying only in counties having populations of not less than 48,500 nor more than 49,500, according to the most recent federal decennial census; providing for additional meetings of the governing bodies of such counties and for additional compensation and expense allowances for the members of said body, including the chairman" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census and to provide an effective date.

Also:

H. 1546. To amend the title and Section 1 of Act No. 931, H. 1345, approved September 12, 1969 (Acts of Alabama, 1969, Vol. II, Page 1669) entitled "An Act relating to counties having populations of not less than 48,500 nor more than 49,500, authorizing the governing body of any such county to appropriate county funds to certain non-profit organizations" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, and to provide an effective date.

JOHN W. PEMBERTON,  
Clerk.

### SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Drake:

H. 689. Relating to highways; To control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to issue permits and collect fees therefore; to provide for violations and penalties; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; to provide how this Act may be cited; and to provide a severability clause.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 689. To the Committee on Commerce, Transportation and Common Carriers.

## MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the bill:

S. 431. To provide for and prescribe the form of government for all cities having a population of not less than 70,000 nor more than 135,000 inhabitants according to the last federal census or any subsequent regular decennial federal census.

And the Speaker of the House has named as Conferees on the part of the House Messrs. Harris, Jones (F) and Taylor.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 362. To amend further Act No. 661, Regular Session 1951 (Acts 1951, p. 1125), as amended, which act regulates Barbers, Barber Shops and Barber Colleges etc., and which creates a Barber Commission for all counties having a population of 400,000 or more according to the last or any subsequent federal decennial census, by revising the manner of selecting commissioners.

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 86, Nays 0.

And said bill, together with the executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 77. To designate certain highways of Alabama as the "University of Montevallo Highway".

Also:

S. J. R. 81. To create a Marine Environmental Sciences Consortium.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1176. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the City of Brent in Bibb County.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 783. To provide for the appointment and employment of law students to serve as Law Clerks for the Circuits Judges in counties of this State having a population of not less than 600,000 according to the last or any subsequent Federal census; to define eligibility for appointment; and to fix the salary of such Law Clerk;

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 885. To provide for the institution and prosecution of misdemeanor cases for the County Court; to authorize and empower the Clerk of the Circuit Court of Bibb County, Alabama, Ex-Officio Clerk of the County Court of Bibb County, Alabama to take oath in support of complaints or affidavits and to issue warrants of arrest thereon in such cases returnable to the County Court of Bibb County; to authorize and empower the said Clerk to receive a plea of guilty by the Defendant in such cases and set, assess or fix the fine on said plea within the limits allowed by law and to provide for the formal minute entry and/or judgment entry to be made by the Judge of the County Court on a subsequent date without the presence of the Defendant.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1262. To further amend Act No. 95 of the Regular Session of the Legislature of Alabama of 1965, (Alabama Acts, 1965, Page 120 et seq.) to provide for the appointment of counsel for indigent defendants at preliminary examinations in the Criminal Court of Jefferson County in criminal cases wherein the defendant is charged with a serious offense; to provide for the compensation of counsel in such cases from funds in the general funds of Jefferson County, Alabama;

to provide that the County Treasurer pay such funds to counsel upon approval of one of the judges of the Criminal Court of Jefferson County.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1089. To authorize and make provision for the incorporation in any county having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census of an Authority as a public corporation for the purpose of providing public transportation service in such county, upon the filing of an application with, and the authorization of such incorporation by, the governing body of any such county within which any such Authority proposes to furnish any such service and the governing body of the municipality in such county having the largest population according to the then most recent Federal Decennial Census; to provide for the amendment of the certificate of incorporation of any such Authority for certain purposes at any time, upon the authorization of each such amendment by the governing body of the county by which its incorporation was authorized and by the governing body of the municipality in such county having the largest population according to the then most recent Federal Decennial Census; to provide for the election and compensation of directors of any such Authority; to provide for the powers, authorities and duties of any such Authority and its board of directors; to authorize any such Authority to acquire, construct, operate, improve and finance one or more transit systems; to confer on any such Authority the power of eminent domain; to authorize any such Authority to expend funds for the purchase or lease of materials, equipment supplies or other personal property involving less than \$2,000 without compliance with the provisions of Act No. 217 (1967 Special Session) as amended that might otherwise be applicable; to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, or of any civil service or merit system law that might otherwise be applicable; to make provisions respecting the establishment and revision of charges for public transportation service rendered by it; to provide for the issuance by any such Authority for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of either or both of the following: (a) any tax proceeds appropriated, allocated or made payable (in whole or in part) to such Authority by or pursuant to any act of the legislature of this state or by or pursuant to any ordinance, resolution or order of any county in which the Authority is authorized to furnish transportation service or any municipality located in such county and (b) the revenues of any one or more of the transit systems of such Authority, without regard to the system or systems with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such Authority for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the transit system out of the revenues from which such securities are payable, and to provide that any revenue securities of the Authority may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the as-



sumption by any such Authority of obligations respecting any transit system, or parts thereof, acquired by the Authority; to provide for the use of the proceeds of any revenue securities issued by an Authority; to provide for the refunding, by the issuance of revenue securities of an Authority, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any transit system or other property to any such Authority; to exempt the property and income of any such Authority, and all securities issued by any such Authority and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such Authority is a party from all taxation in the state, to exempt every such Authority from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such Authority from payment of certain charges to Judges of Probate; to provide that each such Authority shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such Authority; to require the board of directors of any such authority to adopt an annual budget and to cause annual audits of the books and records of such authority to be made; to permit membership in labor organizations by employees of any such Authority; to provide that no employee of any such Authority shall be subject to the provisions of any civil service system or to the rules or regulations of any personnel board that might otherwise be applicable; and to provide for the dissolution of any such Authority and the disposition of its property.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1177. To regulate further the allowances, fees, deputies, equipment and maintenance of the sheriff's department of Elmore County, Alabama.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 782. To amend Section 73, Title 29, Code of Alabama 1940, prescribing the sites which are lawful for the establishment of liquor stores and other sites which are unlawful for the sale of alcoholic beverages, and providing further for any county having a population of five hundred thousand or more, and for any city having population more than twenty thousand and less than thirty thousand located in

such county, all according to the last or any subsequent federal decennial census.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1019. To apply only in Elmore County; regulating further the possession, sale, storage, transportation, use and consumption of alcoholic beverages in such county; requiring any distributor or seller of malt and brewed beverages and spirituous and vinous liquors, other than the State Alcoholic Beverage Control Board, to purchase a license before he can engage in such distribution and selling; levying, and authorizing the county governing body to provide for the collection of a county tax on the possession for sale or the sale of spirituous, vinous, and malt or brewed beverages; and providing for the distribution of the net proceeds thereof; prescribing penalties; and providing that this Act shall be retroactive and cumulative.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 536. To authorize any county having a population of 500,000 or more according to the last or any succeeding federal census to acquire or construct one off-street parking facility, including real property therefor, within 350 feet of the county courthouse, to provide parking for public officials, employees, jurors, witnesses, litigants, taxpayers, voters and others having business with such county and with public officials having offices in the courthouse, to extend, improve and add to such facility, to operate or lease to others such off-street parking facility, to levy and collect or to fix charges and fees for the use of such off-street parking facility and to accept grants with respect to such facility, to authorize the issuance of bonds, interest bearing warrants, certificates of indebtedness and other obligations to finance the cost of such acquisition and construction and to provide for the security, terms, provisions and conditions thereof, for the issuance and sale thereof, and the use of the proceeds thereof, to provide for the refunding of such securities, to provide that such securities shall be legal investments for fiduciaries and banks and insurance companies organized under the laws of this State, and that such securities, the interest thereon and any mortgage or indenture of trust under which such securities shall be issued and any lease of such off-street parking facility shall be exempt from all taxes, to exempt interest bearing warrants issued under this Act from the requirements of Title 12, Chapter 6, Alabama Code of 1940, to provide that the approval of such interest bearing warrants by the governing body of such county shall be sufficient and that no other approval, registration, audit or allowance shall be required.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill.

H. 1451. To amend the title and Sections 1 and 2 of Act No. 832, H. 1501, Regular Session 1961 (Acts 1961, p. 1227), as last amended, which regulates the sale and consumption of alcoholic beverages in certain places in counties classified on a population basis, provides for a referendum of the voters in such counties to determine the wet-dry status of any other places in such county, and prescribes penalties for violations of the act in certain counties classified on a population basis.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Jones (F); Taylor, Hobbie, Harris and Straiton:

H. J. R. 167. HONORING DR. ZELIA STEPHENS AND NAMING A BUILDING AFTER HER ON THE ALABAMA STATE UNIVERSITY CAMPUS.

WHEREAS Mrs. Zelia Valsavee Stephens, ED.D., has been a loyal and conscientious member of the faculty of Alabama State University for twenty-two years and will retire in June, 1972; and

WHEREAS, Dr. Stephens has performed invaluable services for education in the State of Alabama as president of the Alabama State Teacher's Association; president of the Alabama Association for Supervision and Curriculum Development; member of the Supervisory Panel Tri-State (Alabama, Florida and Georgia) Institute on Early Childhood Education; and a member of the Task Force on Elementary Education of the Alabama Education Study Commission; and

WHEREAS, Dr. Stephens' expertise in early childhood and other fields of education has been recognized by her colleagues on the state and national level; and

WHEREAS, Dr. Stephens has done excellent research work in the area of community life serving as a field investigator for a survey of family conditions in Shelby County, conducted by the University of Montevallo and the Tennessee Valley Authority and as a field investigator for a study of community life in Chilton County, sponsored by the University of Montevallo and the Bureau of Agricultural Economics of the United States; and

WHEREAS Dr. Stephens has served the State's educational institutions ably for many years as a teacher, assistant principal, county supervisor, professor, and chairman of the education department at Alabama State and during these years her endeavors have been a source of pride and excellence to the other members of the teaching profession; and

WHEREAS Dr. Stephens is married to Dr. Edgar E. Evans, Associate Professor of Education at Alabama State University; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the early childhood laboratory facility at Alabama State University be named the "Zelia Stephens Early Childhood Center."

RESOLVED FURTHER, That copies of this resolution be sent to the following: The President of Alabama State University and to Dr. Zelia Stephens.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 167, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Jones (F), Taylor, Harris, Straiton and Hobbie:

H. J. R. 168. HONORING WILLIAM H. BENSON AND NAMING A BUILDING AT ALABAMA STATE UNIVERSITY AFTER HIM.

WHEREAS Mr. William H. Benson, D.D.S., has been a loyal, generous, and active supporter of the building and educational programs of Alabama State University throughout his lifetime; and

WHEREAS Mr. Benson has served that great University with vigor and selflessness since his graduation in 1915 as the vice chairman of the Alabama State University Foundation, treasurer of the Alabama State General Alumni Association, and has given unsparingly of his time, talent, and financial resources especially during the dark days of the Great Depression; and

WHEREAS Mr. Benson has not only benefited the educational community at Alabama State, but his own State of Illinois and his own profession of dentistry, serving as chairman of Local Board No. 88, Selective Service, Chicago, Illinois for the last twenty-five years and as a member of the Lincoln Dental Society, the Chicago Dental Society, the Illinois Dental Society and the American Dental Association; and

WHEREAS Mr. Benson is a native son of the City of Montgomery and the citizens of that city, of Alabama, and of the college community at Alabama State University wish to remember him and his fine achievements, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new seven story dormitory erected on the Alabama State University be named the "William H. Benson Hall."

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the following: the President of Alabama State University and Mr. William H. Benson, D.D.S.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 168, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. May:

H. J. R. 169. NAMING H. B. 702 THE "ROBERTS AIR POLLUTION ACT"

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Air Pollution Control Act, H. B. 702 be known as "The Roberts Air Pollution Act";

BE IT FURTHER RESOLVED, That our distinguished colleague, the Honorable Bill Roberts, of Mobile be commended on his outstanding work done in the field of air pollution control legislation.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 169, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Culver, Bank, Robertson, and Parker (T):

H. J. R. 165. ON THE DEATH OF JUDGE HENRY HOLMAN MIZE

WHEREAS the State of Alabama has suffered a severe loss in the untimely death of Judge Henry Holman Mize who passed away in Tuscaloosa on August 19, 1971; and

WHEREAS Judge Mize received his bachelor's, masters and law degrees, all from the University of Alabama; he subsequently served in the United States Army in World War II and was discharged as Lieutenant Colonel; and

WHEREAS Judge Mize served most ably and effectively in the Alabama Senate, during which time he sponsored and supported progressive and far-reaching measures for the betterment of his State and county; he was a leading practicing attorney in Tuscaloosa for a number of years prior to his election as circuit judge in the Sixth Judicial Circuit, where he had compiled an enviable record of fair and impartial decisions, was highly esteemed by members of the bench and the bar and was past president of the Alabama Circuit Judges Association; and

WHEREAS Judge Mize was active in the support of the religious, civic and social life of his city; and

WHEREAS Judge Mize is survived by his widow; six children, and his mother, Mrs. Rosa Mize; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are deeply grieved to learn of the passing of Judge Mize and extend our heartfelt sympathy to the surviving members of his family, to whom copies of this resolution shall be sent.

BE IT FURTHER RESOLVED, That a copy of this resolution shall be displayed in Judge Mize's courtroom in the Tuscaloosa County courthouse.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 165, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Cottingham, Turner, Fite, Turnham, Mathews, Pruitt, Mc-Corquodale, Headley, Stubbs, Jackson, Gloor, Slate, Culver, Lyons, Nettles, and Smith (P):

H. J. R. 155. Honoring Bruce V. Hain.

Also:

By Messrs. Turner, Cottingham, Fite, Turnham, Mathews, Pruitt, Mc-Corquodale, Headley, Stubbs, Jackson, Gloor, Slate, Culver, Lyons, Nettles, and Smith (P):

H. J. R. 156. Honoring John Blanton for outstanding service to his Country and his State.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolutions, H. J. R.'s 155 and 156, the titles of which are set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Smith (P):

H. J. R. 163. NAMING THE TALLADEGA NATIONAL GUARD ARMORY FOR GENERAL LAURIS D. GRAVES.

WHEREAS Brigadier General Lauris D. Graves, Assistant Adjutant General (Army), State of Alabama, has rendered outstanding service throughout his military career which began in the Alabama National Guard in November 1950 with the 464th Anti-aircraft Battalion, Talladega, Alabama, when as surgeon, he was commissioned First Lieutenant; and

WHEREAS General Graves received his bachelor's degree from the University of Alabama, his medical degree from Hahnemann Medical College, Philadelphia, Pennsylvania and served his internship at Lloyd Nolen Hospital in Birmingham; and

WHEREAS General Graves' military education is as follows: Basic Officers Course, Medical Field Service School, Fort Sam Houston, Texas; graduate of Advanced Course, Medical Field Service School, Fort Sam Houston, Texas; Management of Mass Casualties, Medical Field Service School; Command and General Staff College; and Defense Strategy Seminar, National War College, Washington, D. C.; and

WHEREAS General Graves served on active duty with the Seventh Infantry in Korea from June 1951 until May 1952; in October 1952 he assumed command of the 129th Medical Company, Alabama Army National Guard and continuously served as commander throughout the period of that company's reorganization as the 127th Medical Battalion and subsequent reorganization as the 127th Medical Group, making many outstanding accomplishments while under his command, which were reflected in his successive promotions to Captain, Major, Lieutenant Colonel, Colonel and Brigadier General; and

WHEREAS in recognition of General Graves' valorous and effective service, he was awarded the following decorations: Army Commendation Medal, Bronze Star for Valor (two awards), Combat Medical Badge, United Nations Service Medal, Korean Service Medal with five battle stars, Presidential Unit Citation, Korean Presidential Unit Citation, Alabama Commendation Medal, Alabama Faithful Service Medal; and

WHEREAS General Graves, who is a member of the American Medical Association, the Medical Association of the State of Alabama, Alabama Academy of General Practice, is also past president of the National Guard Association of Alabama, is a member and former deacon of the First Presbyterian Church of Talladega, member of the board of directors of the Talladega Chamber of Commerce, and member and past president of the Talladega Recreation Board; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of General Graves' outstanding contributions, both militarily and as a professional, business, civic and religious leader of Talladega, that the National Guard Armory at Talladega be named, designated and known as the Lauris D. Graves Armory.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 163, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Weeks:

H. J. R. 161. WHEREAS, for many years musical organizations composed of Alabama youth, have reflected great credit upon themselves, their families, and our State at large through their performances at National Conventions and in National and Regional competition; and

WHEREAS, there has been established for the first time in Alabama a Junior Drum and Bugle Corps known as the Alabama Charioteers; and

WHEREAS, this organization of 60 of our finest young people, based in Pike County, but composed of members from several other Alabama Counties, has been invited to compete in the finals of the National Drum and Bugle Corps competition at the American Legion Convention in Houston, Texas, on Sunday, August 29, 1971.

NOW THEREFORE, BE IT RESOLVED, that the Legislature of Alabama, both houses concurring, commends the Alabama Charioteers, Director Richard Beasley, the Board of Trustees, Pike County Post 70, and the Alabama Department of the American Legion, and all members, instructors and supporters of the Alabama Charioteers be commended on this outstanding accomplishment, and that they be wished Godspeed and Good Luck as they represent their home state in this important competition;

BE IT FURTHER RESOLVED, that a copy of this Resolution be submitted to the Director and the Board of Trustees of the Alabama Charioteers, and to the Commander of Pike County Post 70 and the Commander of the Department of Alabama, American Legion.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 161, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

## ADOPTION OF RESOLUTIONS

The Resolutions:

S. J. R. 84. COMMENDING THE ALABAMA CHARIOTEERS, A DRUM AND BUGLE CORPS OF PIKE COUNTY

S. J. R. 88. NAMING THE LIBRARY AT THE MOBILE STATE JUNIOR COLLEGE THE S. D. BISHOP LIBRARY

S. J. R. 87. MOURNING THE DEATH OF FRED BATEMAN HOOVER, JR. OF CHICKASAW, ALABAMA

H. J. R. 151. PRAISING LAWRENCE FALK, WHO IS DEPARTING FROM UNITED PRESS INTERNATIONAL ALABAMA BUREAU AND NEWSPROBE 1971

were again read and, on motion of Mr. Noonan, were adopted by the Senate.



## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Flippo:

H. J. R. 175. TO NAME HIGHWAY 101 IN LAUDERDALE COUNTY THE DON L. MICHAEL MEMORIAL HIGHWAY

WHEREAS Don L. Michael was born July 31, 1947, in Florence, Alabama, to Mr. and Mrs. Roy O. Michael; and

WHEREAS Don L. Michael was awarded posthumously the Medal of Honor for conspicuous gallantry and intrepidity at the risk of life, above and beyond the call of duty, in action involving actual conflict with an opposing armed force, in the Republic of Vietnam, on April 8, 1967; and

WHEREAS Don L. Michael's inspiring display of determination and courage saved the lives of many of his comrades and successfully eliminated a destructive enemy force; and

WHEREAS Don L. Michael is the only person in the history of Lauderdale County to be awarded the highest award for heroism in military action that this nation can bestow upon a member of the Armed Forces; and

WHEREAS Don L. Michael also received the following awards and decorations:

Army Commendation Medal with "V" device, Purple Heart, Combat Infantryman Badge, Parachutist Badge, National Defense Service Medal, Vietnam Service Medal, and the Vietnam Campaign Medal; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we pay tribute to this courageous American, and in grateful appreciation for services to his country, we hereby direct that Highway 101, located in Lauderdale County, be named the Don L. Michael Memorial Highway.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to his parents Mr. and Mrs. Roy O. Michael, Route three, Lexington, Alabama.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolution, H. J. R. 175, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Wynot, Jones (E), Bowers, Hill, Flippo and Cross:

H. 261. To create a continuing women's commission; providing for the operation of such commission; providing for its compensation; defining its duties; and making an appropriation.

Also:

By Mr. Headley:

H. 1133. Relating to counties having populations of not less than 25,150 nor more than 26,500, according to the most recent federal decennial census, to provide for an expense allowance for the Court Reporter in the Law and Equity Court in all such counties.

Also:

By Mr. Reed (T):

H. 1266. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census; to provide an expense allowance for members of the county board of education.

Also:

By Mr. Reed (T):

H. 1268. Relating to all counties having a population of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to provide for the election of county superintendent of education by the qualified electors thereof; to prescribe duties, qualifications, term of office, and compensation.

Also:

By Mr. Smith (P):

H. 1580. To repeal Act No. 1002, S. 822, Regular Session 1969, approved September 12, 1969, entitled "An Act Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies."

Also:

By Mr. Smith (P):

H. 1582. Applying to Talladega County; relating to certain payments from the county treasury; fixing the amount of compensation and expense allowances that may be paid out of the treasury of such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Applying to Talladega County; relating to certain payments from the county treasury; fixing the amount of compensation and expense allowances that may be paid out of the treasury of such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Talladega county shall be entitled to compensation, payable out of the county treasury as follows:

- (a) For the probate judge, a salary of \$15,000 per annum;
- (b) For each member of the county governing body, a salary of \$6,000 per annum; (The governing body must hold at least two regular meetings each month at times and places which have, prior to such meetings, been publicly announced.)
- (c) For the sheriff, a salary of \$14,000 per annum;
- (d) For the circuit clerk, a salary of \$9,500 per annum, until January 1, 1974; and thereafter a salary of \$10,500 per annum; (Provided, however, if the circuit clerk also serves as register of the circuit court, then he shall receive a total compensation of \$12,000 per annum for performing the duties of both the clerk and register.)
- (e) For the register, a salary of \$8,500 per annum, until January 1, 1974, and thereafter a salary of \$9,500;
- (f) For each judge of the county court, a salary of \$8,500 per annum;
- (g) For the tax collector, a salary of \$12,000 per annum;
- (h) For the tax assessor, a salary of \$12,000 per annum;
- (i) For the coroner, a salary of \$3,000 per annum;
- (j) For each full time deputy sheriff a minimum salary of \$450.00 per month; for two chief deputies, a minimum salary of \$525 per month;
- (k) For members of the board of equalization and the board of registrars \$20 per day for each meeting day authorized by law on which the member is in actual attendance.
- (l) For members of the jury commission, a salary of \$125 per month.
- (m) For the clerk of the county court that is located at a place other than the county seat a minimum annual salary of \$6,000 and for the assistant clerk of such court a minimum annual salary of \$4,800.

Section 2. A. The salaries of the county officers as provided in Section 1 of this Act shall be the entire compensation received by any such officers for his services. No such officer shall receive an expense allowance or any fees after the salary hereinabove prescribed takes effect, except that any such officer may be reimbursed for such actual expenses as are otherwise provided for by law and his actual and reasonable expenses for travel within such county may be paid by the county governing body. Reimbursement for actual, reasonable and

necessary expenses incurred for travel in line of duty outside of the county may be made by authorization of the county governing body; however, such authorization must be reflected on the minutes of the meeting of said body before the date of such travel; provided, however, prior approval shall not be required for out-of-county travel by the sheriff or his deputies in matters concerning the investigation of cases or the transportation of persons in their custody.

B. The governing body of such county shall provide the board of equalization, the jury commission and the board of registrars of such county, each, with an allowance for clerical assistance of an amount not to exceed \$2,400 per annum, as requested by such board or commission. This subsection shall not be construed as a limitation on any present authority of such governing body to provide clerical assistance for any such board or commission.

Section 3. A. The following officers of the circuit court of such county shall be entitled to receive from the county treasury of such county the following supplementary salaries:

For each circuit judge, a supplement to the salary paid by the State of an amount equal to 40% of such payments by the State of Alabama, per annum;

For the district attorney of such circuit, a supplement to the salary paid by the State of an amount equal to 40% of such payment by the State of Alabama, per annum;

For one assistant district attorney, a supplement to the salary paid by the State of not more than \$1,200 per annum, the exact amount to be fixed by the district attorney.

The above supplemental salaries, when they become effective, shall be the entire compensation, upon the effective date of this Act, payable to such officers of the circuit court from the county treasury of any county to which this Act applies, except that the county governing body shall provide for the payment to such officers actual expenses of travel within such county. Reimbursement for actual, reasonable and necessary expenses incurred for travel in line of duty outside of the county may be made by authorization of the county governing body; however, such authorization must be reflected on the minutes of the meeting of said body before the date of such travel.

B. Each bailiff, appointed by a circuit judge of the circuit in which lies the county to which this Act applies shall be entitled to receive out of the treasury of such county a salary of not less than \$4,800 nor more than \$6,000 per annum, the exact amount thereof to be fixed by the judge making the appointment.

C. The clerical assistant to the district attorney of the circuit in which the county to which this Act applies shall be entitled to receive from the county treasury a salary of not less than \$4,800 nor more than \$6,000, the exact amount thereof to be fixed by the district attorney.

D. The official court reporter or court reporters of the circuit in which any county to which this Act applies lies shall be entitled to receive from the county treasury a salary of \$4,400 per annum.

Section 4. All local, special or general laws or parts of laws which conflict with this Act are hereby repealed upon the effective date of this Act. The provisions of Act No. 405, Regular Session 1961 (Acts, 1961, p. 419), Act No. 370, Regular Session 1965 (Acts, 1965, p. 504), Act No. 646, Regular Session 1967 (Acts, 1967, p. 1460), Act No. 251, Regular Session 1963 (Acts, 1963, p. 661), Act No. 362, Special Session

1966 (Acts, 1966, p. 503), Act No. 923, Regular Session 1961 (Acts, 1961, p. 1483), Act No. 924, Regular Session 1961 (Acts, 1961, p. 1483), Act No. 371, Regular Session 1965 (Acts, 1965, p. 505), Act No. 30, First Special Session of 1964 (Acts 1964, p. 53), and Act No. 31, First Special Session of 1964 (Acts 1964, p. 54), all of which are in conflict herewith are superseded.

Section 5. Except as otherwise stated herein, the compensation under this Act shall become effective as to each of the above mentioned officers upon the expiration of the term of office of the incumbents of the several offices and in the case of members of the county governing body such Act shall become effective as to all such members upon the expiration of term of office of the member or members thereof whose term first expires. As to the board of registrars, board of equalization, jury commission, court reporter or reporters, assistant district attorney, bailiffs, clerical assistant to district attorney, deputies and chief deputies in sheriff's department, clerk and assistant clerk of the county court and provision as to payment for clerical assistant to the board of equalization, board of registrars and jury commission, this Act shall become effective upon becoming law.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

THE STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Charles H. Greer, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA NEWS, a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: June 24, 1971, July 1, 1971, July 8, 1971, and July 15, 1971.

CHARLES H. GREER.

Subscribed and sworn to before me this 16th day of July 1971.

VELERA R. PAYNE,  
Notary Public.

Also:

By Messrs. Cauthen and Slate:

H. 2014. To repeal Act No. 129, H. 176 approved May 9, 1963, an Act relating to counties having populations of not less than 65,000 nor more than 95,000; providing further for the operation of the offices of circuit solicitors in such counties (Acts of Alabama Organizational 1st and 2nd Special Regular Sessions 1963 vol. I, p. 316).

Also:

By Messrs. Cauthen and Slate:

H. 2015. To repeal Act No. 405, H. 851 approved August 7, 1961, an act relating to regulating the compensation and allowances of Probate Judges in certain counties on a population basis (Acts 1961, Vol. 1, p. 419).

Also:

By Messrs. Cauthen and Slate:

H. 2020. To repeal Act No. 371, S. 420 approved August 10, 1965, an act relating to the salary of the sheriff in certain counties on a population basis (Acts of Alabama Regular Session 1965 Vol. I, p. 505).

Also:

By Messrs. Cauthen and Slate:

H. 2021. To repeal Act No. 200, H. 796 approved July 30, 1965, an act relating to the expense allowance for the coroner in certain counties on a population basis (Acts of Alabama Regular Session 1965 Vol. I, p. 283).

Also:

By Messrs. Cauthen and Slate:

H. 2022. To repeal Act No. 31, S. 9 approved August 24, 1964, an act relating to counties having populations of not less than 65,000 nor more than 95,000; providing for appointment of clerk for the board of registrars whose compensation shall be paid by the county (Acts of Alabama 1st Special Session 1964, p. 54).

Also:

By Messrs. Cauthen and Slate:

H. 2023. To repeal Act No. 30, S. 8 approved August 24, 1964, an act relating to regulating the compensation and allowance of the Clerk of the Jury Commission of all counties having a population of not less than 65,000 nor more than 95,000 (Acts of Alabama 1st Special Session 1964, p. 53).

Also:

By Messrs. Cauthen and Slate:

H. 2024. To repeal Act No. 251, H. 641 approved August 15, 1963, an act relating to counties having populations of not less than 65,000 nor more than 95,000; regulating and providing for the payment of compensation of certain county officers (Acts of Alabama Organizational 1st Special 2nd Special Regular Sessions 1963 Vol. 1, p. 661).

Also:

By Messrs. Cauthen and Slate:

H. 2025. To repeal Act No. 924, S. 31 approved September 9, 1961, an act relating to regulating the compensation and allowance of tax assessor in certain counties on a population basis (Acts of Alabama 1961 Regular Special Sessions Vol. II, p. 1483).

Also:

By Messrs. Cauthen and Slate:

H. 2026. To repeal Act No. 923, S. 30 approved September 9, 1961, an act relating to regulating the compensation and allowance of tax collector in certain counties on a population basis (Acts 1961 Regular Special Sessions, Vol. II, p. 1483).

Also:

By Messrs. Cauthen and Slate:

H. 2027. To repeal Act No. 77, H. 31 approved June 27, 1963, an Act relating to counties having populations of not less than 76,000 nor more than 115,000, providing for meetings of the board of registrars in such counties (Acts of Alabama 1963 Organizational 1st and 2nd Special Regular Sessions vol. 1, p. 454).

Also:

By Messrs. Cauthen and Slate:

H. 2084. To apply only in counties having a population of not less than 76,000 nor more than 80,000; providing for the Chairman or President of the County Commission, or other like governing body to pay to any county employee whose salary is received from said County Commission, or other like governing body, sums as sick leave during any temporary illness or disability of said employee.

Also:

By Mr. Reynolds:

H. 2176. Relating to counties having populations of not less than 45,500 nor more than 52,000 according to the most recent federal decennial census; to further provide for the compensation of the members of the county board of education.

Also:

By Mr. Gray (F):

H. 2178. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; to authorize establishment of branch banks.

Also:

By Mr. Gray (F):

H. 2181. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; providing for clerk hire allowance for the judges of probate of said counties.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1133, 1266, 1268, 1580, 1582, 2014, 2015, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2084, 2176, 2178 and 2181. To the Committee on Local Legislation No. 1.

H. B. 261. To the Committee on Finance and Taxation.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Headley, Adwell, Jones (E) and Boles:

H. 733. To provide that all political parties which elect to hold primary elections under the primary election laws of the states shall nominate all candidates for all state, county, and federal offices, including electors for president and vice-president of the United States, by vote of the qualified voters voting in the primary election called by such party; and to amend Section 336, Title 17, Code of Alabama of 1940, as amended.

Also:

By Messrs. McCorquodale, Lyons and Bank:

H. 978. To provide that the names of candidates for President and Vice President of the United States shall appear on the official ballot in general elections; to describe the form of ballot to be used in such election and to provide the method of determining the names of such Presidential and Vice Presidential candidates; and to further provide for the form of the ballot when elector candidates are unpledged to any Presidential or Vice Presidential candidate.

Also:

By Mr. Adwell:

H. 1886. To require that all candidates be legally qualified to hold office, to impose limitations on the adoption of a political loyalty oath as a prerequisite for qualification as a candidate for nomination; and to amend Title 17, Section 345, Code of Alabama, as amended:

Also:

By Messrs. Taylor, Jones (F), Straiton, Stewart, Grey (D), Carnes and Owens:

H. 1786. To define a political party of the state or county, and to amend Section 337, and Section 412, Title 17, Code of Alabama, 1940, as amended, by changing the percentage of votes authorizing a primary from 20% to 10%.

Also:

By Messrs. Burgess, Stewart, Merrill, Fite, Lyons, Bank, Robertson and Drake:

H. 2175. To provide that the portrait of Governor Lurleen B. Wallace shall forever remain in its present position in the rotunda on the ground floor of the State Capitol.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 733, 978, 1886, 1786 and 2175. To the Committee on Commerce, Transportation and Common Carriers.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:



H. 78. Relating to cities having populations of 300,000 or more; to regulate the power and authority of such cities to levy or impose privilege license taxes on employees working for wages, salaries or other compensation in such cities.

And requests a Committee of Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. Erdreich, Timmons and Cherner.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Bailes, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate Amendment to the Bill, H. B. 78, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Gilmore	McLain	Pierce	
Bailes	Hammond	Malone	Register	
Cook	Harris	Noonan	Vacca	
Dominick	Hawkins	O'Bannon	Weaver	
Dozier	King	Owen	Wilder	
Edington	Littleton	Pelham	Wilson	
Fine	Lybrand			—25

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Bailes, Cook and Gilmore.

### RESOLUTION

Mr. Bailes offered the following Senate Resolution, to-wit:

S. R. 92. BE IT RESOLVED by the Senate that it is in the public interest that the minutes of the meeting of the Senators Association of Alabama, held in the Senate Chamber at 10:00 o'clock A. M. on Tuesday, August 10, 1971, pursuant to call therefor issued by a special committee of the Senate consisting of Senators Bailes, Jones and Pierce, and which are appended to this Resolution, be printed in the Senate Journal of the Legislature of 1971.

### MINUTES

The meeting was called to order by the President of the Association and the following agenda adopted:

### AGENDA

Report of the committee on necrology, without eulogy, on members lost in the period since the last quadrennial meeting.

Roll call of members other than members of the Senate of 1971-73 but including members of that Senate who were members of former Senates.

Other business:

Adopt a resolution thanking the present Senate for affording the Association this opportunity to meet with it;

Election of a President, Vice President, and Secretary-Treasurer for ensuing term.

There followed a report on necrology delivered by Senator James Coleman of Greene, showing the following members to have been lost since the 1967 meeting:

Adams, Charles H., Dothan, deceased 1968; Member Senate 1963.

Berryman, Robert R., Town Creek, deceased 1969; Member Senate 1959.

Bonner, J. Miller, Camden, deceased 1968; Member Senate 1915, 1923, 1927, 1931, 1935, 1951.

Brooks, Leon G., Brewton, deceased 1969; Member Senate 1923.

Crawford, Norman R., Marion, deceased 1968; Member Senate 1959.

Ellis, L. H., Columbiana, deceased 1967, Lieutenant Governor 1943.

Elmore, Verdo, Gordo, deceased 1968; Member Senate 1939.

Goodwin, Tully A., Florala, deceased 1970; Member Senate 1931, 1943, 1955.

Gulledge, W. A., Verbena, deceased 1968; Member Senate 1947.

Henderson, Bruce, Prarie, deceased 1971; Member Senate 1939, 1943, 1947.

High, Sam, Ashville, deceased 1967; Member Senate 1943, 1951.

Hollis, Ross, Sulligent, deceased 1971; Member Senate 1951.

Hubbard, G. J., Troy, deceased 1969; Member Senate 1931.

Hutson, Melvin, Decatur, deceased 1969; Member Senate 1923.

Inzer, J. C., Gadsden, deceased 1969; Member Senate 1923, Lieutenant Governor 1947.

James, W. E., Cullman, deceased 1968; Member Senate 1927.

Jones, Robert H., Evergreen, deceased 1968; Member Senate 1923.

Kelly, J. L., LaPine, deceased 1968; Member Senate 1935.

Lusk, John A., Gadsden, deceased 1970; Member Senate 1939.

McConnell, Marcus E., Sr., Livingston, deceased 1969; Member Senate 1937.

Montgomery, Charles A., Eutaw, deceased 1967; Member Senate 1963.

Mooneyham, Floyd, Montgomery, deceased 1969; Member Senate 1935.

Pinson, J. H., Geiger, deceased 1969; Member Senate 1943, 1951.

Poole, J. N., Butler Springs, deceased 1970; Member Senate 1939.

Quarles, George P., Selma, deceased 1969; Member Senate 1947, 1951.

Rowe, J. M., Miami, Florida, deceased 1970; Member Senate 1939.

1931. Shepherd, Coleman, Birmingham, deceased 1968; Member Senate

Skidmore, E. W., Tuscaloosa, deceased 1970; Member Senate 1951, 1955, 1967.

Starnes, W. T., Pell City, deceased 1970; Member Senate 1935.

Stokes, Charles O., Ozark, deceased 1970; Member Senate 1927.

Young, Oliver E., Vernon, deceased 1969; Member Senate 1939.

In the absence of the Secretary, there followed a roll call of those eligible for membership in the Association by the President and an introduction, identification and a few remarks by those present. It was found that the following former members of the Senate were present, and the counties from which they came and the administration in which they first served are shown, viz:

Graves Administration (First) (1927-31):

W. B. Nolen, Clay

Miller Administration (1931-35):

C. G. Brown, Randolph

Graves Administration (Second) (1935-30):

Vernon L. St. John, Lawrence

James A. Simpson, Jefferson

Judson C. Locke, Sr., Perry

Dixon Administration (1939-43):

Preston C. Clayton, Barbour

Watkins C. Johnston, Macon

Finis E. St. John, Sr., Cullman

Sparks Administration (1943-47):

George M. Taylor, Jr., Autauga

Richard B. Kelly, Talladega

Elvin C. McCary, Calhoun

Gordon Madison, Tuscaloosa

Folsom Administration (First) (1947-51):

V. S. Summerlin, Crenshaw

James B. (Jim) Allen, Etowah

Albert Boutwell, Jefferson

James S. Coleman, Jr., Greene

Rankin Fite, Marion

John E. Gaither, Cleburne

Bob Kendall, Jr., Conecuh

Fuller Kimbrell, Fayette

Noble J. Russell, Morgan

Howle, Tom Blake, Calhoun

Persons Administration (1951-55):

J. H. Faulkner, Baldwin

Thomas A. Johnston, III, Mobile

H. B. Larkins, Coffee

M. J. Norrell, Clay

Virgil Smith, Cherokee

**Folsom Administration (Second) (1955-59):**

T. Herman Vann, Madison  
Sam E. Engelhardt, Jr., Macon  
Walter C. Givhan, Dallas  
Harlan G. Allen, Cullman  
Berry I. Cantrell, Colbert  
Roland Cooper, Wilcox  
Joe B. Davis, Lowndes  
H. P. James, Bibb  
Kyser G. Leonard, Talladega  
Neil Metcalf, Geneva  
Ben Reeves, Pike  
A. C. Shelton, Calhoun  
Esca Roberts, Etowah

**Patterson Administration (1959-63):**

Alton L. Turner, Crenshaw  
W. F. Wilson, Hale  
James S. Clark, Barbour  
Rufus Barnett, Dale  
Joe W. Graham, Chilton  
Aubrey D. Green, Sumter  
Upshaw G. Jones, Elmore  
James Record, Madison  
Douglas Webb, Escambia  
Billy Laxson, Madison  
W. C. Hines, Chambers  
Elwood Rutledge, Winston

**George Wallace Administration (First) (1963-67):**

H. B. (Brog) Taylor, Butler  
Kenneth Hammond, DeKalb  
L. D. Bentley, Jr., Blount  
L. W. Brannan, Jr., Baldwin  
Clayton Carter, Marshall  
Albert H. Evans, Jr., Choctaw  
W. Ray Lolley, Coffee  
J. T. McDow, Shelby  
Bill Nichols, Talladega  
W. Emmet Oden, Franklin  
Ed Reynolds, Macon  
John Tyson, Mobile

**Lurleen B. Wallace and Albert Brewer Administration (1967-71):**

Dan Stone, Cherokee  
C. C. (Bo) Torbert, Jr., Lee  
O. J. (Joe) Goodwyn, Montgomery  
George Lewis Bailes, Jefferson  
James A. Branyon, II, Fayette  
Aubrey Carr, Marshall  
Richard Dominick, Jefferson

Eddie Hubert Gilmore, Jefferson  
Bob Harris, Morgan  
John Hawkins, Jr., Jefferson  
J. Ernest Jackson, Escambia  
J. L. (Jim) Adams, Houston  
Leland Childs, Jefferson  
Jack Giles, Madison  
W. G. McCarley, Autauga  
William H. McDermott, Mobile  
Hugh Morrow, III, Jefferson  
Ollie W. Nabors, Etowah  
Tom Radney, Tallapoosa  
Stewart O'Bannon, Lauderdale  
Pat Vacca, Jefferson

Thereupon, the following resolution was offered by Senator Leland Childs (Jefferson, 1967) and was unanimously adopted, viz:

BE IT RESOLVED, That this Association extends to the Senate of 1971-73 and its officers and the Secretariat thereof its sincere thanks for this opportunity of meeting with the Senate and for its courteous and hospitable reception.

The Association then ordered that its greetings and good wishes be sent to its distinguished members Judge Werth Thaggard of Butler (1951) and Joe Foster of Madison (1951), both unable to be present by reason of illness.

The Association then elected for the following quadrennium Honorable James Coleman of Greene as President, the Honorable Watkins Johnston of Macon as Vice President, and the Honorable Joe Graham of Chilton as Secretary-Treasurer. The meeting then adjourned and was followed by a Luncheon at the Montgomery Country Club.

R. G. KENDALL, JR.,  
President of the Association.

On motion of Mr. Bailes, the Rules were suspended and the Resolution was adopted by the Senate.

#### REPORTS OF COMMITTEES

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Grainger:

H. 110. To provide for the conviction of persons over 18 years of age who wilfully cause pain or injury to a child under 16 years of age and to provide the punishment for such crime.

By Messrs. Wood and Carnes:

H. 257. To amend Section 2 of Act No. 93, 1967 Special Session of the Legislature, approved April 6, 1967, relating to the Office of the Attorney General.

By Mr. St. John, et al:

H. 411. To authorize and empower the Supreme Court to adopt general rules governing pleading, practice and procedure in civil actions in all Courts in Alabama; and to provide for one form of civil action and procedure for the trial of cases both at law and in equity.

By Mr. Drake:

H. 462. To prescribe a rule to apply in the circuit and inferior courts in all suits of a civil nature, at law or in equity, when a jury trial is not demanded and a plea in abatement based on improper venue has been filed.

By Mr. Perloff, et al:

H. 499. To further amend Section 13 of Act No. 934 approved September 9, 1961, General Acts of Alabama, 1961, Vol. II, page 1506, as amended, entitled: "An Act, To provide for a program of tax equalization of all real property in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census; to more fully define the duty, authority and responsibility of the Tax Assessor of such counties in the matter of equalizing assessments of real property within such counties; to provide for the division of such counties into districts for the purpose of tax assessment records; to require that certain records be kept and maintained on a current basis by the Tax Assessor of such counties; to describe the manner in which such records are to be kept; to provide a time within which the equalization program required herein is to be initially completed; to provide for a continuous program of appraisal of real property within such counties; to provide for the assessments of improvements to real property within such counties; to prescribe penalties for failure to assess, or properly assess, improvements to real property within such counties; to prohibit the remittance of any such penalties except as provided for by this Act; to provide for the publishing of reports of the progress of the carrying out of the provisions of the Act; to provide for a portable set of assessment records for use by appraisers appointed by the Tax Assessor; to define the duties of the Board of Equalization in such counties in the matter of the equalization of assessments of real property, to provide that no outstanding obligations against the proceeds of any tax derived from assessments of real properties in such counties shall be impaired by the provisions of this Act; to provide for appeals of any assessment made by the Tax Assessor or ruling of the Board of Equalization of such counties; to provide for the necessary personnel, supplies, materials, and equipment to carry out the provisions of this Act and to provide the manner in which personnel are to be appointed in such counties; to provide for the severability of the provisions of the Act; to repeal all laws or parts of laws in conflict with the provisions of this Act."

By Mr. Perloff, et al:

H. 500. To amend Section 94 of Title 51, Code of Alabama 1940, as heretofore amended, which relates to the term of service and compensation of members of county boards of equalization.

By Mr. Hale, et al:

H. 656. To provide that it shall be a criminal offense to forge or counterfeit a drivers license and to provide the punishment for such offense.

By Mr. King:

S. 964. To be known as the Alabama Partnership Act, relating to the law of partnerships and partnership property, including with respect thereto definition of terms, interpretation of knowledge and notice, rules of construction, rules for cases not provided for in this act, nature of a partnership, relations of partners to persons dealing with the partnership, relations of partners to one another, property rights of a partner, dissolution and winding up; to repeal Sections 1 to 5 inclusive and Sections 28 to 35 inclusive of Title 43 and Sections 280-292 inclusive of Title 61, Code of Alabama 1940, as amended, and Act No. 584, General Acts 1957, and Act No. 1071, General Acts 1969, and other inconsistent legislation.

By Messrs. Lindsey and Lybrand:

S. 1044. To amend Section 7 of Act No. 606, S. 112, Regular Session, 1969, an Act to create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

By Messrs. O'Bannon and Fine:

S. 1070. To establish a Study Commission on Alabama's Judicial System; to prescribe its powers, functions, purposes and duties; to provide for the membership and officers of said Commission; to authorize such Commission to conduct studies and make recommendations pertaining to the judicial system and the administration of justice in Alabama.

By Mr. Harris:

S. 1107. To abolish justices of the peace and justice courts in both criminal and civil matters and to provide in lieu thereof a court in each county and vesting each with jurisdiction formerly exercised by justices of the peace; providing for additional powers of said court; providing for its officers, and their appointment; providing for the term of office of the judge, his powers, duties, compensation, and for costs and fees in such court; providing for the transfer of all cases pending in justice of the peace court to said court hereby established; providing for additional powers of all of the chief law enforcement officers on duty during certain nighttime hours relating to cases over which the court hereby established has jurisdiction; providing for appeal from said court; providing for procedure, practice and pleading in said court; to provide for the approval of bonds in such matters pending before said courts.

By Mr. McLain:

S. 1145. To further amend Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1605) which creates the Alabama Space Science Commission and provides for its membership, terms, authority and duties, so as to provide that the employees of said Commission shall be eligible for participation in the state health insurance plan and the state retirement system.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Bailes, Fine, King, Jones, Gilmore, Vacca, Carr, Dozier, Clark, McLain, Noonan, Hawkins, Register, Branyon, Pierce, Harris, Cooper, Malone, Littleton, Owen, Pelham, Edington, Foshee, Horne, Wilder and Lybrand (with amendment):

S. 1169. To provide further for the retirement of highway patrolmen, state troopers and other law enforcement officers of the State Department of Public Safety; to allow such officers to retain their badges, pistols, and certain other equipment upon retirement.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McLain:

S. 1215. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Madison County under certain conditions to issue general obligation bonds in not exceeding \$2,000,000 principal amount for acquiring, providing, constructing and equipping public school buildings, including sites therefor; to provide that said bonds may be secured by a pledge of a sufficient amount of the  $\frac{1}{4}$  of 1% ad valorem tax authorized by Section 215 of said constitution to be levied by said county; to provide that none of said bonds shall be chargeable against the constitutional debt limit of said county; and to specify certain details pertaining to said bonds and to the issuance and sale thereof.

The above Bill was read a second time at length as required by the Constitution.

By Mr. McLain:

S. 1216. To amend Section 93 of Title 12 of the Code of Alabama of 1940, so as to provide that counties may, after approval at a county bond election, issue and sell bonds for the purpose of acquiring, providing, constructing and equipping public school buildings, including sites therefor.

By Mr. McLain:

S. 1217. To amend Section 1 of Act No. 96 enacted at the 1963 Second Special Session of the Legislature of Alabama so as to provide that counties, as well as municipalities, may issue the revenue bond anticipation notes therein provided for, and to provide that municipalities or counties that have issued such bond anticipation notes may, when such notes are held by the United States of America or any agency or instrumentality thereof, issue and deliver revenue bonds in exchange for an equal principal amount of such notes without compliance with the provisions of Section 259 of Title 37 of the Code of Alabama of 1940.

By Mr. Hammond:

S. 119. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

By Messrs. Lindsey, O'Bannon and Clark:

S. 246. To amend Title 15, Section 299, Code of Alabama, 1940, pertaining to depositions taken on the part of the State in criminal cases.



By Messrs. Lindsey, O'Bannon, Pelham, Fine and Clark:

S. 247. To repeal Sections 75, 76, 78, 79, 80 and 81, Title 30, Code of Alabama, 1940, pertaining to charges by the Circuit Court to a grand jury.

By Messrs. Cook, Gilmore, Bailes, King, Hawkins, Dominick, Pierce, Jones, Malone, Edington, Foshee and O'Bannon:

S. 294. To provide a code of ethics for the executive and legislative branches of state government and for all state officials and employees therein, and for lobbyists; to establish the Alabama Ethics Commission as a permanent agency of state government, to provide for the appointment and terms of its members, and to prescribe its authority, duties and procedure; to define terms; to prescribe penalties for violations of this code of ethics; and to exclude officials and employees of the judicial branch of state government from the provisions of this act.

By Messrs. Cook, Bailes, Gilmore, King, Hawkins, Branyon, Pierce, Jones, Malone, Edington, Foshee and O'Bannon:

S. 295. Proposing an amendment to the Constitution of Alabama relative to canons of ethics for the judicial branch of state government and establishing a Commission of Judicial Ethics and to empower the Legislature to provide for a system of retirement for justices, judges and officials of courts.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Lybrand:

S. 342. Relating to counties having populations of not less than 10,800 nor more than 19,000, and counties having populations of not less than 65,000 nor more than 110,000; to confer additional authority upon such counties in relation to the construction, leasing, maintenance, and operation of detention centers for lodging adolescents and persons confined on order of juvenile judges in such counties.

By Mr. Lybrand:

S. 744. To provide for the establishment of a voluntary solid waste service corporation to contract with the counties and/or cities to dispose of solid waste.

By Mr. Shelby:

S. 893. Creating a presumption as to the delivery of instruments conveying interests in land.

By Mr. Shelby:

S. 894. Limiting the Duration of Contracts for the Sale of Land and Notice thereof.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Shelby (with amendment):

S. 895. Forbidding the recording of certain instruments describing land by unrecorded plats and providing a penalty for the making of false recitations as to the unavailability of plats.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Shelby:

S. 896. Giving the protection afforded an innocent purchaser for value to those receiving quitclaim deeds or similar instruments.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Shelby (with amendment):

S. 897. Forbidding the recording of certain instruments failing to recite the marital status of the grantor and providing a penalty for the making of false recitations as to such status.

Mr. Fine, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Shelby:

S. 898. Repealing Section 21, of Title 9, of the Alabama Code of 1940, relating to contracts entered into on Sunday and to validate contracts heretofore entered into on Sunday.

By Mr. Shelby:

S. 899. Abolishing the requirement for the recitation of consideration in deeds and other conveyances of land and validating deeds and other conveyances heretofore executed and not containing such a recitation.

By Mr. Shelby:

S. 900. To amend further Act No. 624, H. 291 of the Regular Session of 1965 (Acts 1965, p. 1137), as amended, which applies only to certain counties on a population basis and further regulates the filing for record of certain legal documents, makes unlawful the filing thereof unless certain endorsements are entered on such documents, prescribes penalties for falsification of such endorsements, and regulates further the duties of the judges of probate relative to such documents, so as to give said Act No. 624 of 1965, as amended, statewide effect.

By Mr. Shelby:

S. 901. To limit the duration of options to purchase land and the duration of notice of recorded options.

By Mr. Shelby:

S. 902. Curing certain defects in recorded instruments affecting title to land.

By Mr. Shelby:

S. 903. To repeal Section 73, of Title 34, of the Alabama Code of 1940, relating to the joinder of the husband in the deed of the wife.

By Mr. Shelby:

S. 904. Giving effect to certain conveyances of land executed in the name of corporations; amending Section 106, of Title 47, of the Alabama Code of 1940, to extend its provisions to all corporations organized for private profit and to create a conclusive presumption as to the power of certain corporate officers; and to regulate further ultra vires acts of all corporations organized for private profit, and provide further for the use by such corporations of the defense of ultra vires.

By Mr. Shelby:

S. 905. Amending Sections 66, 67, 69, 70 and 74, of Title 47, of the Alabama Code of 1940, to provide for the filing of a lis pendens when an application has been made for an order of condemnation of land, or any interest therein.

By Mr. Shelby:

S. 906. To regulate further the powers and authority of attorneys or agents acting under written powers of attorney.

Mr. Gilmore, Chairman of the Standing Committee on County Government, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Roberts, et al:

H. 1105. To authorize the county governing bodies of the several counties in the State to enter into contracts and agreements with the United States of America, the State of Alabama and other counties for the purpose of acquiring funds and facilities for public use.

Mr. Foshee, Chairman of the Standing Committee on Commerce, Transportation and Common Carriers, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Waldrop, et al:

H. 394. Relating to speed limits on interstate highways, providing a minimum and maximum speed on such highways and prescribing penalties therefor.

By Mr. King, et al:

H. 862. Providing for the certification of factory-built housing; to provide for the regulation, administration and enforcement of the provisions of this Act by the Alabama Development Office; to establish certain civil remedies and actions in connection with factory-built housing and to provide penalties for violations of this Act or any rule or regulation promulgated hereunder.

By Mr. Register:

S. 1135. To amend Act No. 265, Regular Session 1963 (Acts 1963, p. 696) which Act authorizes the incorporation of Airport Authorities, to provide for the number of members of the Board of Directors of such Authority, the manner in which they shall be elected and to provide for the term of office of the members of said Board of Directors, to authorize the acquisition by eminent domain, construction, installation, equipping, maintaining and operating sanitary and storm sewer systems,

water, electric and gas systems, upon, adjacent to, in connection with or for the furtherance of the use of any airport, heliport, aircraft landing area or manufacturing, industrial or retail shopping area owned or operated by the Authority, to provide for the employment of security guards by such Authorities, to authorize any county, city or other political subdivision, public corporation, agency or instrumentality of this State to furnish at the request of such Authority fire and air crash equipment of all kinds and personnel to properly operate such equipment at any airport, heliport or aircraft landing area owned, operated or used in connection therewith by such Authority, to prohibit any county, city or town from requiring the payment of any tax or privilege license by any person, firm or corporation for the reasonable use of its public streets, roads or highways in going to or from any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of such Authority, and to validate all contracts entered into or legal actions heretofore instituted by any de facto or de jure Authority organized under said Act No. 265, Regular Session 1963.

By Mr. Crowe:

H. 2052. To amend Section 44 of Title 50 of the Code of Alabama of 1940, as heretofore amended, so as to eliminate the limitation on the rate of interest that may be borne by bonds of an improvement authority incorporated pursuant to the provisions of Chapter 3 of Title 50 of the Alabama Code of 1940, as amended.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dill, Timmons and Parker (H) (with amendment):

H. 544. Relating to cities having a population of 300,000 or more according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Mr. Vacca, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wallace, et al:

H. 1271. To further amend Sections 4, 12, 14, 16 and 23 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

By Mr. Timmons, et al:

H. 1387. To further amend Section 12, sub-paragraph (k) of Act No. 929 of the Regular Session of the Legislature of Alabama 1951, approved September 12th, 1951, (General Acts of Alabama 1951, Page 1579, et seq.) entitled "An act to create or provide in or for each and every city of the State of Alabama having a population of 250,000 or more inhabitants according to the last or any succeeding Federal Census, a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and subordinately to define officers and employees of the Board of Health of any County in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

By Mr. Doss, et al:

H. 2216. To empower Recorders Court in municipalities having now or hereafter having a population of 250,000 or more, according to the last or any subsequent federal census, to suspend sentences or grant probation under certain conditions.

By Mr. Timmons, et al (with notice and proof):

H. 2039. To amend Section 2, and to further amend Section 6 and 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama approved August 30, 1966 (Acts of Alabama, 1966, Special Session Page 280 et seq.) Entitled "An Act To Provide A Separate Retirement And Relief System For Certain Of The Presently Active Employees Of The City Of Birmingham Who Entered The Service Of The Fire Department Of Said City Prior To September 19, 1939, And to Whom Is Applicable The Pension And Relief System Provided By Act No. 307 Of The 1943 Regular Session Of The Legislature Of Alabama, As Amended, And Act Number 22 Of the Second Special Session Of the Legislature of Alabama Of 1956, to Include In Said Separate System Dependents Of Said Presently Active Employees: And To Render Said Act No. 307 And Act Number 22 Inapplicable To Said Certain Presently Active Employees And Their Dependents."

By Mr. Timmons, et al (with notice and proof):

H. 2040. To amend Section 2 and to further amend Sections 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said city prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 502 of the Regular Session of the legislature of 1923, as reenacted and amended: to include in said separate system dependents of said presently active employees: and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents".

## RESOLUTIONS

Mr. Pierce offered the following Senate Joint Resolution, to-wit:

S. J. R. 93. HONORING WILLIAM H. BENSON AND NAMING A BUILDING AT ALABAMA STATE UNIVERSITY AFTER HIM.

WHEREAS Mr. William H. Benson, D.D.S., has been a loyal, generous, and active supporter of the building and educational programs of Alabama State University throughout his lifetime; and

WHEREAS Mr. Benson has served that great University with vigor and selflessness since his graduation in 1915 as the vice chairman of the Alabama State University Foundation, treasurer of the Alabama State General Alumni Association, and has given unsparingly of his time, talent, and financial resources especially during the dark days of the Great Depression; and

WHEREAS Mr. Benson has not only benefited the educational community at Alabama State, but his own State of Illinois and his own profession of dentistry, serving as chairman of Local Board No. 88, Selective Service, Chicago, Illinois for the last twenty-five years and as a member of the Lincoln Dental Society, the Chicago Dental Society, the Illinois Dental Society and the American Dental Association; and

WHEREAS Mr. Benson is a native son of the City of Montgomery and the citizens of that city, of Alabama, and of the college community at Alabama State University wish to remember him and his fine achievements, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the new seven story dormitory erected on the Alabama State University be named the "William H. Benson Hall."

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the following: the President of Alabama State University and Mr. William H. Benson, D.D.S.

And said Resolution was read and ordered to lay over on the Secretary's desk.

Mr. Pierce offered the following Senate Joint Resolution, to-wit:

S. J. R. 94. HONORING DR. ZELIA STEPHENS AND NAMING A BUILDING AFTER HER ON THE ALABAMA STATE UNIVERSITY CAMPUS.

WHEREAS Mrs. Zelia Valsavee Stephens, ED.D., has been a loyal and conscientious member of the faculty of Alabama State University for twenty-two years and will retire in June, 1972; and

WHEREAS, Dr. Stephens has performed invaluable services for education in the State of Alabama as president of the Alabama State Teacher's Association; president of the Alabama Association for Supervision and Curriculum Development; member of the Supervisory Panel Tri-State (Alabama, Florida and Georgia) Institute on Early Childhood Education; and a member of the Task Force on Elementary Education of the Alabama Education Study Commission; and

WHEREAS, Dr. Stephens' expertise in early childhood and other fields of education has been recognized by her colleagues on the state and national level; and

WHEREAS, Dr. Stephens has done excellent research work in the area of community life serving as a field investigator for a survey of family conditions in Shelby County, conducted by the University of Montevallo and the Tennessee Valley Authority and as a field investigator for a study of community life in Chilton County, sponsored by the University of Montevallo and the Bureau of Agricultural Economics of the United States; and

WHEREAS Dr. Stephens has served the State's educational institutions ably for many years as a teacher, assistant principal, county supervisor, professor, and chairman of the education department at Alabama

State and during these years her endeavors have been a source of pride and excellence to the other members of the teaching profession; and

WHEREAS Dr. Stephens is married to Dr. Edgar E. Evans, Associate Professor of Education at Alabama State University; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the early childhood laboratory facility at Alabama State University be named the "Zelia Stephens Early Childhood Center."

RESOLVED FURTHER, That copies of this resolution be sent to the following: The President of Alabama State University and to Dr. Zelia Stephens.

And said Resolution was read and ordered to lay over on the Secretary's desk.

#### BILLS ON THIRD READING RESUMED

##### The Bill:

S. 122. To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act.

was taken up.

Mr. Cooper offered the following amendment to the Bill, S. B. 122, to-wit:

#### AMENDMENT TO S. B. 122

Amend Section 16 (a) to read as follows:

"With respect to any credit transaction, the creditor shall not require any insurance other than insurance against loss of or damage to any property in which the creditor is given a security interest or insurance insuring the lien of the creditor on the property which is collateral for said transaction. Credit life and disability insurance may be offered and if accepted may be provided by the creditor. The charge to the debtor for any insurance shall not exceed the premium charged by the insurer. Insurance with respect to any credit transaction shall not exceed the approximate amount and term of the credit."

Which was adopted.

Yeas 31; Nays 0.

##### Yeas:

Messrs.:	Dozier	Hawkins	Noonan
Bailes	Edington	Horne	Owen
Branyon	Fine	Jones	Pelham
Carr	Foshee	King	Pierce
Clark	Gilmore	Lindsey	Register
Cook	Givhan	Littleton	Shelby
Cooper	Hammond	Lybrand	Vacca
Dominick	Harris	McLain	Wilder

—31

##### Nays:

—0

Mr. Cooper then offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

#### AMENDMENT TO S. B. 122

Amend Section 9 to read as follows:

If any seller or assignee of the seller repossesses or voluntarily accepts surrender of goods sold in which he has a security interest and the original cash price of the goods repossessed or surrendered was \$1,000.00 or less, the buyer is not personally liable to the seller for the unpaid balance of the debt arising from such sale and the seller is not obligated to sell the collateral.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Malone	
Bailes	Edington	Horne	Noonan	
Branyon	Fine	Jones	Owen	
Carr	Foshee	King	Register	
Clark	Gilmore	Lindsey	Varca	
Cook	Givhan	Littleton	Weaver	
Cooper	Hammond	Lybrand	Wilder	
Dominick	Harris	McLain		—30

Nays:

—0

Mr. Lybrand offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

#### AMENDMENT TO S. B. 122

Amend Section 25 to read as follows:

None of the provisions of this Act, except provisions of Subsection (a) of Section 1 and Section 2 of this Act, shall apply to any loan, forbearance, or credit sale involving an interest in real property or the sale, lease or mortgage of an interest in real property, where the creditor is a lending institution which is an approved mortgagee under the provisions of the National Housing Act or is exempt from licensing under this Act. Nothing in this Act shall be construed to amend or repeal the provisions of Act. No. 374 of the 1959 Regular Session (General Acts Alabama 1959, p. 966), nor of Act No. 3 of the 1969 Regular Session (General Acts Alabama, Regular Session 1969 p. 297), nor of Act. No. 4 of the 1969 Regular Session (General Acts Alabama Regular Session 1969, p. 297) nor of Act No. 1038 of the 1969 Regular Session (General Acts Alabama, Regular Session 1969, p. 1919), nor of Act. No. 27 of the 1970 Special Session (General Acts Alabama, Volume 3 Special Session, p. 2628). This Act shall not apply to any lawful, bona fide pawn broking business.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Cook	Fine	Harris
Bailes	Cooper	Foshee	Hawkins
Branyon	Dominick	Gilmore	Jones
Carr	Dozier	Givhan	King
Clark	Edington	Hammond	Lindsey



Littleton	Malone	Pelham	Vacca	
Lybrand	Noonan	Register	Wilder	
McLain	Owen	Shelby		—30
Nays:				—0

Mr. Lybrand then offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

#### AMENDMENT TO S. B. 122

Amend Section 26 to read as follows:

#### Section 26—Consumer Protection Council

A. There is hereby created the CONSUMER PROTECTION COUNCIL, consisting of eleven (11) members. Three (3) members shall be appointed by the Lt. Governor, three (3) by the Speaker of the House of Representatives, and the remaining five (5) by the Governor, at least two (2) of whom shall be representatives of organized labor. The Governor shall designate one (1) member of the Council as Chairman.

B. The term of office of each member of the Council is four (4) years. A member chosen to fill a vacancy arising otherwise than from expiration of term shall be appointed by the original appointing authority for the un-expired term of the member whom he is succeeding. A member of the Council is eligible for re-appointment.

C. Members of the Council shall serve without compensation but are entitled to reimbursement of expenses incurred in performance of their duties.

D. The Council shall consult with the Administrator and with representatives of creditors and debtors for the purpose of assembling data bearing upon the operation of the Act. Members of the Council may make recommendations to him and assist him in obtaining compliance with this Act. The Council may call on the Administrator to obtain information which is not otherwise readily available to the Council.

E. The Council and Administrator shall meet together at a time and place designated by the Chairman at least twice each year. The Council may hold additional meetings when called by the Chairman.

F. The Chairman shall submit the Council's report to the Legislature during the first week of the 1973 session and in the first week of each subsequent regular session. The report shall contain a summary of the data assembled by the Council and such recommendations as they may deem advisable for improving the operation of this Act.

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Vacca	
Cooper	Harris	Malone	Weaver	
Dominick	Hawkins	Noonan	Wilder	
Dozier				—32

Nays: —0

Mr. Bailes offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

#### AMENDMENT TO S. B. 122

Amend Section 2(h) 2nd paragraph

Strike out "one and one-half (1½) % percent per month of the unpaid balance from time to time thereunder." And insert "one percent (1%) per month of the unpaid balance from time to time thereunder."

On motion of Mr. Lybrand, said amendment was laid on the table.

Yeas 17; Nays 14.

*Yeas:*

Messrs.:	Hawkins	Noonan	Register
Branyon	Horne	Owen	Vacca
Clark	Littleton	Pelham	Weaver
Gilmore	Lybrand	Pierce	Wilder
Givhan	McLain		

—17

*Nays:*

Messrs.:	Cooper	Fine	King
Bailes	Dominick	Foshee	Lindsey
Carr	Dozier	Hammond	Shelby
Cook	Edington	Harris	

—14

Mr. Dominick offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

#### AMENDMENT TO S. B. 122

Amend S. 122 by striking the first paragraph of Section 8 and inserting in lieu thereof the following:

Section 8. A buyer has the right to cancel a home solicitation sale until midnight of the third business day following his execution of an agreement or offer to purchase, which notice is effective when delivered or when deposited in the mail properly addressed to the seller, postage prepaid. The seller must deliver to the buyer and obtain his written signature to a written agreement or offer to purchase designating as the date of the transaction the date on which the buyer actually signs and containing the following under the conspicuous caption:

#### "BUYERS RIGHT TO CANCEL"

"If this agreement was solicited at your residence and you do not want the goods or services, you may cancel this agreement by delivering or mailing a notice to the seller. The notice must say that you do not want the goods or services and must be delivered or mailed before midnight of the third business day after you sign this agreement. The notice must be delivered or mailed to: \_\_\_\_\_"

\_\_\_\_\_ (insert name and mailing address of seller) Until the seller has complied with this section the buyer may cancel the home solicitation sale by notifying the seller in any manner and by any means of his intention to cancel.

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Malone
Bailes	Edington	Horne	Noonan
Branyon	Fine	Jones	Owen
Carr	Foshee	King	Register
Clark	Gilmore	Lindsey	Shelby
Cook	Givhan	Littleton	Vacca
Cooper	Hammond	Lybrand	Wilder
Dominick	Harris	McLain	Wilson

—31

Nays:

—0

Mr. Dominick then offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

#### AMENDMENT TO S. 122

Amend S. 122 in Section 12 by inserting immediately after the word "unconscionable" where it first appears, the words "before, after or".

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Pelham
Bailes	Fine	King	Pierce
Branyon	Foshee	Lindsey	Register
Carr	Gilmore	Littleton	Shelby
Clark	Givhan	Lybrand	Vacca
Cook	Hammond	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Hawkins	Owen	Wilson
Dozier	Horne		

—33

Nays:

—0

Mr. Dominick then offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

#### AMENDMENT TO S. B. 122

Amend S. B. 122 by striking from Section 1(h) the words "farm equipment or" wherever they appear.

On motion of Mr. Lybrand, said amendment was laid on the table.

Mr. Dominick then offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

#### AMENDMENT TO S. B. 122

Amend S. B. 122 by striking from Section 1(h) the words "or motor vehicles" wherever they appear.

On motion of Mr. Lybrand, said amendment was laid on the table.

Yeas 27; Nays 8.

Yeas:

Messrs.:	Hammond	Littleton	Pierce
Branyon	Harris	Lybrand	Register
Clark	Hawkins	Malone	Shelby
Cooper	Horne	Noonan	Vacca
Foshee	Jones	O'Bannon	Weaver
Gilmore	King	Owen	Wilder
Givhan	Lindsey	Pelham	Wilson

—27

Nays:

Messrs.:	Cook	Dozier	Fine
Bailes	Dominick	Edington	McLain
Carr			

—8

Mr. Dominick then offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

#### AMENDMENT TO S. B. 122

Amend S. B. 122 by striking from Section 4(a) the words "with notice that it is" wherever they appear.

On motion of Mr. Lybrand, said amendment was laid on the table.

Yeas 16; Nays 14.

Yeas:

Messrs.:	Gilmore	Lindsey	O'Bannon
Branyon	Givhan	Littleton	Pelham
Clark	Hammond	Lybrand	Shelby
Cooper	Hawkins	McLain	Wilson
Foshee			

—16

Nays:

Messrs.:	Dozier	Jones	Pierce
Bailes	Edington	King	Register
Carr	Fine	Malone	Wilder
Dominick	Harris	Noonan	

—14

Mr. Dominick then offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

#### AMENDMENT TO S. B. 122

Amend S. B. 122 by adding to the end of the first sentence of Section 3(a) the following phrase "; provided that the maximum sum that may be charged shall be \$5.00."

On motion of Mr. Lybrand, said amendment was laid on the table.

Yeas 14; Nays 13.

Yeas:

Messrs.:	Gilmore	Lindsey	Register
Branyon	Givhan	Lybrand	Shelby
Clark	Harris	McLain	Wilder
Cooper	Hawkins	O'Bannon	

—14

*Nays:*

Messrs.:	Dozier	Hammond	Malone
Bailes	Edington	Jones	Noonan
Carr	Fine	King	Owen
Dominick	Foshee		

—13

Mr. Dominick then offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

## AMENDMENT TO S. B. 122

Amend S. B. 122 by amending the last paragraph in Section 2 by substituting "\$5.00" for "\$4.00"; "\$75.00" for "\$25.00"; and "\$7.50" for "\$6.00", wherever said figures appear.

On motion of Mr. Wilder, said amendment was laid on the table.

Mr. Harris offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

## AMENDMENT TO S. B. 122

Amend the first paragraph of Section 2 to read as follows:

"Section 2. The maximum finance charge for any loan or forbearance and for any credit sale may equal the following:

The total of:

(a) (i) 15% per \$100 per year for the first \$500 of the original principal amount of the loan or original amount financed.

(ii) 10% per \$100 per year for that portion of the original principal amount of the loan or original amount financed exceeding \$500 and not exceeding \$1,000."

(iii) 8% per \$100 per year for that portion of the original principal amount of the loan or original amount financed exceeding \$1,000.

Also, strike sub-section (b) of Section 2 in its entirety.

Also, delete the second complete unnumbered paragraph of Section 2, which commences with the words "The maximum finance charge".

Mr. Lybrand moved that said amendment be laid on the table, which motion was lost.

Yeas 13; Nays 18.

*Yeas:*

Messrs.:	Gilmore	Littleton	Shelby
Branyon	Givhan	Owen	Wilder
Clark	Hawkins	Pelham	Wilson
Foshee	Jones		

—13

*Nays:*

Messrs.:	Dominick	Harris	Malone
Bailes	Dozier	King	Pierce
Carr	Edington	Lindsey	Vacca
Cook	Fine	Lybrand	Weaver
Cooper	Hammond	McLain	

—18

And said amendment offered by Mr. Harris to the Bill, S. B. 122, as amended, was then voted upon, said vote resulting in a tie.

Yeas 16; Nays 16.

*Yeas:*

Messrs.:	Dozier	Jones	Pierce	
Bailes	Edington	King	Vacca	
Carr	Fine	Lindsey	Weaver	
Cooper	Harris	Malone	Wilson	
Dominick				—16

*Nays:*

Messrs.:	Gilmore	Littleton	Owen	
Branyon	Givhan	Lybrand	Pelham	
Clark	Hammond	McLain	Shelby	
Cook	Hawkins	Noonan	Wilder	
Foshee				—16

The President and Presiding Officer of the Senate voted "Aye"; therefore, said amendment was then adopted.

Mr. Bailes offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

#### AMENDMENT TO S. B. 122, AS AMENDED

1. Amend Section 2(a) (i) so as to read as follows:

"\$15 per \$100 per year for the first \$300 of the original principal amount of the loan or original amount financed."

2. Amend Section 2(a) (ii) so as to read as follows:

"\$10 per \$100 per year for that portion of the original principal amount of the loan or original amount financed exceeding \$300 and not exceeding \$1,000, and"

3. Amend 2(a) (iii) so as to read as follows:

\$8 per \$100 per year for that portion of the original principal amount of the loan or original amount financed exceeding \$1,000; or,

On motion of Mr. Lybrand, said amendment was laid on the table.

Yeas 17; Nays 12.

*Yeas:*

Messrs.:	Gilmore	Littleton	Register	
Branyon	Givhan	Lybrand	Shelby	
Clark	Hammond	Owen	Wilder	
Cooper	Hawkins	Pelham	Wilson	
Foshee	Lindsey			—17

*Nays:*

Messrs.:	Dozier	Harris	McLain	
Bailes	Edington	Jones	Malone	
Carr	Fine	King	Pierce	
Dominick				—12

Mr. Dominick offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

## AMENDMENT TO S. B. 122, AS AMENDED

Amend Section 2(a) to read as follows:

“(a) The total of:

(i) \$17 per \$100 per year on an amount financed which is \$300 or less:

(ii) \$11 per \$100 per year on an amount financed which is more than \$300 but does not exceed \$1,000;

(iii) \$8 per \$100 per year on an amount financed which exceeds \$1,000; or”

On motion of Mr. Lybrand, said amendment was laid on the table.

Yeas 21; Nays 11.

*Yeas:*

Messrs.:	Foshee	Lindsey	Pelham	
Branyon	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cooper	Hammond	Noonan	Wilder	
Dozier	Harris	Owen	Wilson	
Edington	Hawkins			—21

*Nays:*

Messrs.:	Cook	Jones	Malone	
Bailes	Dominick	King	Pierce	
Carr	Fine	McLain	Vacca	
				—11

Mr. Lybrand moved that further consideration of the Bill, S. B. 122, as amended, be postponed until the next Legislative Day.

On motion of Mr. Bailes, the motion to postpone was laid on the table.

Yeas 29; Nays 4.

*Yeas:*

Messrs.:	Edington	Lindsey	Pelham	
Bailes	Fine	Littleton	Pierce	
Branyon	Foshee	Lybrand	Register	
Carr	Gilmore	McLain	Shelby	
Cook	Hawkins	Malone	Vacca	
Cooper	Horne	Noonan	Wilder	
Dominick	Jones	Owen	Wilson	
Dozier	King			—29

*Nays:*

Messrs.:				
Clark	Givhan	Hammond	Harris	—4

Mr. Vacca moved that the Senate reconsider the vote by which the amendment offered by Mr. Harris to the Bill, S. B. 122, as amended, was adopted.

## REPORTS OF COMMITTEES RESUMED

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lindsey:

S. 1052. Relating to counties having populations of not less than 16,350 nor more than 16,550, fixing the jurisdiction of the Inferior Courts in such counties; providing for the compensation of special judges in such counties of said Inferior Court.

By Mr. Foshee:

S. 1210. Relating to counties having populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

By Mr. Owen:

S. 1211. To provide an expense allowance for the clerk of the juvenile court of any county having a population of not less than 57,000 nor more than 61,000, according to the last or any subsequent federal decennial census, where the clerk of the circuit court also serves as clerk of the juvenile court.

By Mr. Hammond:

S. 1212. Relating to counties having populations of not less than 38,100 nor more than 40,500; providing further for the annexation of territory by certain municipalities in said counties.

By Mr. McLain:

S. 1218. To provide an expense allowance for the Judge of the County Court in all counties having populations of not less than 175,000 nor more than 300,000 according to the last and any subsequent federal decennial census and to provide for an effective date for the operation of such act.

By Mr. McLain:

S. 1219. Relating to all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent and any subsequent federal decennial census; to provide for the appointment and compensation of a bailiff in the County Court in such counties; to repeal conflicting laws.

By Mr. McLain:

S. 1220. To provide that the Family Court Division of the Circuit Court of all counties having a population of not less than 175,000 nor more than 300,000 according to the last federal decennial census shall collect a filing fee for the filing of juvenile cases in such court and providing further that the Judges of such courts may assess a fine against juveniles for the violation of law and providing for the disposition of such costs and fine.



By Mr. McLain:

S. 1221. To provide that Judges of Probate of all counties having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census shall collect certain fees for services rendered and that the fees so collected shall be deposited in the general fund of such counties.

By Mr. Harris:

S. 1222. To provide further for the control of solid wastes in counties having a population of not less than 75,000 nor more than 90,000 according to the most recent federal decennial census, by providing a method of exemption and a penalty for failure to pay fees, charges and rates for such disposal.

By Mr. Wilson:

S. 1225. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants, according to the last or any subsequent federal decennial census; creating a Public Hospital and Health Authority in any such county and prescribing the power, authority and jurisdiction of the Authority; providing for a board of directors of such Authority and for the appointment, terms, duties, power, authority and compensation of members of the board; authorizing the board to issue securities and mortgage and pledge its properties and revenues as security therefor; providing that securities of the Authority shall be negotiable instruments and shall be eligible for investment of trust funds; exempting from taxation all such securities, the income therefrom, any instrument executed as security therefor, and the income and properties of the Authority; and authorizing any municipality in such counties to transfer and convey to such hospital board with or without consideration therefor hospitals, other public health facilities, and funds raised or allocated for hospital purposes.

By Mr. Wilson:

S. 1226. Relating to counties having populations of not less than 55,500 nor more than 56,500; to authorize and prescribe the use of electronic voting systems in such counties; to authorize the county governing bodies to procure the necessary equipment for using said system.

By Mr. Wilson (with notice and proof):

S. 1228. To alter, rearrange and establish the corporate limits of the City of Carbon Hill, Alabama.

By Mr. Wilson (with notice and proof):

S. 1231. To extend the boundary lines and corporate limits of the town of Sumiton in Walker and Jefferson Counties.

By Mr. McLain (with notice and proof):

S. 1232. To authorize the governing body of Madison County, Alabama, and the Madison County License Department to establish, when and where desired, offices separate and apart from those provided in the Madison County Courthouse building at Huntsville, Alabama, in various parts of the county for the sole purpose of selling automobile, truck, car, trailer and boat tags.

By Mr. Register (with notice and proof):

S. 1233. To amend Act No. 74, H. 39, of the Special Session of 1967 (Acts 1967, p. 105) which Act creates and provides for organization and functioning of a board of jury supervisors for Dale County in lieu of the jury commission, so as to increase the membership of this board.

By Mr. Register:

S. 1234. To provide for a personnel appeals board for every county having a population of not less than 56,500 nor more than 59,000, according to the most recent federal decennial census; to prescribe the qualifications, terms, duties, and compensation of its members; and to provide rules relating to political activities by employees of said counties.

By Mr. Malone (with notice and proof):

S. 1235. To authorize the Etowah County Commission to sell and issue from time to time interest-bearing warrants for the purpose of paying costs of acquiring and providing solid wastes collection and disposal facilities; to provide that such warrants shall evidence general obligation indebtedness of the county; to provide that such warrants may, at the discretion of the Etowah County Commission, be additionally secured by a pledge or pledges of the revenues from the said facilities, or the proceeds from certain taxes, or both such revenues and taxes; to specify the effect and priority of any such pledges; to authorize the refunding of any such warrants; to provide that such securities shall be legal investments for fiduciaries; to provide that the issuance of any warrants and the interest coupons applicable thereto shall constitute the audit and allowance of claims against the issuing county and any tax proceeds and revenues, or either, pledged to the payment thereof.

By Mr. Cooper (with notice and proof):

S. 1223. Relating to Wilcox County; to provide for the salary of the chief deputy of such county to be not less than \$500.00 nor more than \$600.00 for each month said chief deputy serves and the salary of all other deputies of such county to be not less than \$400.00 nor more than \$500.00 for each month said deputies serve.

By Mr. Cooper (with notice and proof):

S. 1224. Relating to Conecuh County; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

By Mr. Bank, et al (with notice and proof):

H. B. 290. To grant free fishing privileges in all public lakes in Tuscaloosa County to certain resident citizens of the State.

By Mr. Culver, et al:

H. 519. Relating to Tuscaloosa County; to authorize the county board of education to provide for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks for use in the schools of the county.

By Messrs. Cauthen and Slate:

H. 1250. To provide an additional expense allowance for each court reporter in the 8th Judicial Circuit.

By Messrs. Drake and St. John:

H. 1600. To repeal Act No. 517, H. 1033, approved August 21, 1969, Regular Session 1969 (Acts 1969, p. 993) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; to provide for the compensation of the members of the jury commission in such counties."

By Messrs. Drake and St. John:

H. 1601. To repeal Act No. 844, H. 1122, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1549) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws."

By Messrs. Drake and St. John:

H. 1602. To repeal Act No. 1005, S. 831, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1879) entitled, "An Act To validate amounts expended by the board of revenue, court of county commissioners, or other like governing body, of any county with not less than 42,000 nor more than 46,000 population, according to the last or any subsequent federal decennial census, for gifts to hospital patients of the county, holiday advertisements by the county, premiums paid on bonds of the coroner, and appropriations made to private schools during the period October 1, 1964 through September 30, 1966."

By Messrs. Drake and St. John:

H. 1603. To repeal Act No. 17, H. 14, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2617) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increases of the jailers in such counties."

By Messrs. Drake and St. John:

H. 1604. To repeal Act No. 31, H. 46, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2653) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary of the Register in Chancery in such counties."

By Messrs. Drake, St. John and McDonald:

H. 1605. To repeal Act No. 453, S. 443, approved September 4, 1963, Regular Session 1963 (Acts 1963, p. 986) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; providing sick leaves of absence with pay for all regularly employed school bus drivers of said county."

By Messrs. Drake and St. John:

H. 1606. To repeal Act No. 154, S. 122, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 219) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; relating to the office of the sheriff and further regulating the salaries of certain employees of such office."

By Messrs. Drake and St. John:

H. 1607. To repeal Act No. 155, S. 123, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 219) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; fixing the compensation of jury commissions."

By Messrs. Drake and St. John:

H. 1608. To repeal Act No. 228, S. 140, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 314) entitled, "An Act To apply in counties having populations of not less than 42,000 nor more than 46,000, fixing the compensation of the deputy clerk of the register and providing for payment thereof."

By Messrs. Drake and St. John:

H. 1609. To repeal Act No. 58, S. 54, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 74) entitled, "An Act To amend Section 1, Act No. 154, S. 122, approved August 28, 1964, an act relating to the compensation of deputy sheriffs in counties having populations of not less than 42,000 nor more than 46,000 (Acts 1964, p. 219)."

By Messrs. Drake and St. John:

H. 1610. To repeal Act No. 59, S. 55, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 75) entitled, "An Act To apply in counties having populations of not less than 42,000 nor more than 46,000; providing for the payment of additional per diem allowances to members of the boards of equalization of such counties."

By Messrs. Drake and St. John:

H. 1611. To repeal Act No. 61, S. 73, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 76) entitled, "An Act To relieve the Judge of Probate of any county or counties in population of 42,000 to 46,000 according to the 1960 Federal decennial census of any and all responsibility for failure to charge and collect affidavit fees on licensing of commercial vehicles during the period October 1, 1962 through January 18, 1965."

By Messrs. Drake and St. John:

H. 1612. To repeal Act No. 62, S. 74, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 77) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; to provide for payment of extra per diem allowances to members of boards of registrars in such counties."

By Messrs. Drake and St. John:

H. 1613. To repeal Act No. 96, S. 95, approved March 22, 1965, Special Session 1965 (Acts 1965, p. 110) entitled, "An Act To amend Act No. 917, S. B. 7, approved September 9, 1961 relating to the compensation of the deputy clerk of the circuit clerk of counties having populations of not less than 42,000 nor more than 46,000."

By Messrs. Drake and St. John:

H. 1614. To repeal Act No. 53, S. 4, approved March 19, 1965, Special Session 1965 (Acts 1965, p. 71) entitled, "An Act to provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

By Messrs. Drake and St. John:

H. 1615. To repeal Act No. 160, S. 338, approved July 23, 1965, Regular Session 1965 (Acts 1965, p. 228) entitled, "An Act to prescribe the amount of the director's fee which may be paid to members of the board of directors of certain gas districts."

By Messrs. Drake and St. John:

H. 1616. To repeal Act No. 241, H. 919, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 344) entitled, "An Act To apply only in counties having populations of not less than 42,000 nor more than 46,000; providing a clerk hire allowance for the county or deputy solicitor of such counties."

By Messrs. Drake, St. John and McDonald:

H. 1617. To repeal Act No. 102, H. 313, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 485) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; fixing the compensation of election officials in such counties."

By Messrs. Drake, St. John and McDonald:

H. 1618. To repeal Act No. 407, H. 1008, approved September 3, 1963, Regular Session 1963 (Acts 1963, p. 907) entitled, "An Act Prohibiting the use of convict labor by the State Highway Department in the construction, repair, and maintenance of certain county roads and bridges."

By Messrs. Drake and St. John:

H. 1619. To repeal Act No. 250, H. 962, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 361) entitled, "An Act Relating to counties having populations of not less than 42,000, nor more than 46,000; providing clerk-hire allowances for certain county officers in such counties."

By Messrs. Drake and St. John:

H. 1620. To repeal Act No. 42, H. 128, approved October 29, 1965, Third Special Session 1965 (Acts 1965, p. 257) entitled, "An Act Relating to counties having populations of not less than 42,000, nor more than 46,000; providing clerk-hire allowances for certain county officers in such counties."

By Messrs. Drake and St. John:

H. 1621. To repeal Act No. 179, S. 4, approved, August 23, 1966, Special Session 1966 (Acts 1966, p. 212) entitled, "An Act To regulate further the bail bond business in counties having populations of not less than 42,000 nor more than 46,000; amending Code of Alabama, 1940, Title 15, Section 201."

By Messrs. Drake and St. John:

H. 1622. To repeal Act No. 394, S. 224, approved September 12, 1966, Special Session 1966 (Acts 1966, p. 534) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; providing a clerk hire allowance to the Register in Chancery in such counties."

By Messrs. Drake and St. John:

H. 1623. To repeal Act No. 184, S. 60, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 249) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing expense allowances for the chairman and members of the board of revenue, court of county commissioners or other like county governing body."

By Messrs. Drake and St. John:

H. 1624. To repeal Act No. 185, S. 61, approved May 14, 1969, Special Session 1969, (Acts 1969, p. 250) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an additional expense allowance to the judge of the inferior court or intermediate court."

By Messrs. Drake and St. John:

H. 1625. To repeal Act No. 186, S. 62, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 251) entitled, "An Act To provide expense allowances for tax assessors and tax collectors in all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census."

By Messrs. Drake and St. John:

H. 1626. To repeal Act No. 187, S. 63, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 251) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing further for the compensation of members of the county board of education, county commission on education or other like public body having general administration and supervision of the public schools of the county."

By Messrs. Drake and St. John:

H. 1627. To repeal Act No. 188, S. 64, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 252) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an expense allowance for the coroner in such counties."

By Messrs. Drake and St. John:

H. 1628. To repeal Act No. 189, S. 65, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 252) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census; providing an additional expense allowance to the circuit clerk in such counties."

By Messrs. Drake and St. John:

H. 1629. To repeal Act No. 100, H. 37, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 177) entitled, "An Act Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing expense allowances for the Register in Chancery in such counties."

By Messrs. Drake and St. John:

H. 1630. To repeal Act No. 101, H. 39, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 178) entitled, "An Act To apply

only to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide additional funds for clerk hire for circuit clerks in such counties."

By Messrs. Drake and St. John:

H. 1631. To repeal Act No. 102, H. 40, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 179) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, to provide an expense allowance for the deputy or county solicitor in such counties."

By Messrs. Drake and St. John:

H. 1632. To repeal Act No. 154, H. 172, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 222) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, and providing for the use of such fund."

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1633. Relating to Cullman County; to prescribe the amount of the director's fee which may be paid to members of the board of directors of certain gas districts.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1636. Relating to Cullman County; fixing the compensation of the deputy clerk of the register and providing for payment thereof.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1638. Relating to Cullman County; providing an additional expense allowance to the judge of the inferior court or intermediate court.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1639. To authorize the city of Cullman to establish, maintain and operate a non-profit ambulance service.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1640. Providing for the salary of the Register in Chancery in Cullman County.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1642. Relating to Cullman County; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, and providing for the use of such fund.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1643. Relating to Cullman County; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1644. Prohibiting the use of convict labor by the State Highway Department in the construction, repair, and maintenance of roads and bridges in Cullman County.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1647. To provide an expense allowance for the deputy or county district attorney in Cullman County.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1650. Providing a clerk hire allowance for the county or deputy district attorney of Cullman County.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1652. To provide additional clerks for the tax assessor and the tax collector in Cullman County.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1653. Providing an additional expense allowance to the circuit clerk of Cullman County.

By Messrs. Drake, St. John, and McDonald (with notice and proof):

H. 1654. Relating to Cullman County; providing clerk-hire allowances for certain county officers.

By Messrs. Drake and St. John (with notice and proof):

H. 1656. To amend Code of Alabama, Title 15, Section 201, to regulate further the bail bond business, so as to provide an exception for Cullman County.

By Messrs. Drake and St. John (with notice and proof):

H. 1657. Providing a clerk hire allowance to the Register in Chancery of Cullman County.

By Messrs. Drake and St. John (with notice and proof):

H. 1658. Relating to Cullman County; providing an additional expense allowance to the Judge of the Inferior Court or Intermediate Court.

By Messrs. Drake and St. John (with notice and proof):

H. 1660. To provide expense allowances for tax assessors and tax collectors in Cullman County.

By Messrs. Drake and St. John (with notice and proof):

H. 1662. To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in Cullman County.

By Messrs. Drake and St. John (with notice and proof):

H. 1663. Relating to Cullman County; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers.

By Messrs. Drake and St. John (with notice and proof):

H. 1664. To provide an allowance for expenses to the district attorney of judicial circuits composed of Cullman County.



By Messrs. Drake and St. John (with notice and proof):

H. 1666. Regulating further the office of district attorney in Cullman County; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

By Messrs. Drake and St. John (with notice and proof):

H. 1667. Relating to counties having a population of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census; to provide further for the type of newspapers in which certain notices required to be published in newspapers under the provisions of Section 713, Title 7, Code of Alabama 1940, may be published.

By Messrs. Drake and St. John (with notice and proof):

H. 1668. Relating to providing expense allowances for the chairman and members of the court of county commissioners of Cullman County.

By Messrs. Drake and St. John (with notice and proof):

H. 1669. Providing an expense allowance for the coroner in Cullman County.

By Messrs. Drake and St. John (with notice and proof):

H. 1670. Relating to Cullman County; providing further for the compensation of members of the county board of education, county commission on education or other like public body having general administration and supervision of the public schools of the county.

By Messrs. Drake, St. John and McDonald:

H. 1676. To repeal Act No. 18, H. 91, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 24) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000 according to the last or any subsequent federal decennial census; to authorize county governing bodies to provide for payment of additional expense and clerk hire allowances to certain county officers."

By Messrs. Drake, St. John and McDonald:

H. 1677. To repeal Act No. 19, H. 99, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 22) entitled, "An Act To provide an allowance for expenses to the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

By Messrs. Drake, St. John and McDonald:

H. 1678. To repeal Act No. 190, S. 66, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 253) entitled, "An Act to authorize all cities having populations of not less than 10,800 nor more than 11,400 according to the most recent federal decennial census to establish, maintain and operate a non-profit ambulance service."

By Messrs. Drake, St. John and McDonald:

H. 1679. To repeal Act No. 916, S. 6, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1479) entitled, "An Act To provide additional clerks for the tax assessor and the tax collector in all counties having a population of not less than 42,000 nor more than 46,000 according to the most recent federal census, making the Act retroactive."

By Messrs. Drake, St. John and McDonald:

H. 1680. To repeal Act No. 917, S. 7, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1479) entitled, "An Act to apply in all counties having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the appointment of a deputy clerk of the circuit court of such counties; prescribing the duties, powers, and authority of such deputy, fixing his compensation and designating the method of payment and the fund from which such compensation shall be paid."

By Messrs. Drake, St. John and McDonald:

H. 1681. To repeal Act No. 919, S. 9, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1480) entitled, "An Act To apply in all counties having a population of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; regulating further the office of county solicitor in such counties; imposing extra, new, and additional duties upon such officer, and providing further for his compensation.

By Messrs. Drake, St. John and McDonald:

H. 1682. To repeal Act No. 15, H. 77, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 22) entitled, "An Act To provide clerical assistance for the circuit solicitors of circuits composed of one county having a population of not less than 42,000 nor more than 46,000."

By Messrs. Drake, St. John and McDonald:

H. 1683. To repeal Act No. 16, H. 78, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 23) entitled, "An Act Relating to counties having populations of not less than 42,000 nor more than 46,000; providing for increases in pay of deputy sheriffs of such counties."

By Messrs. Drake, St. John and McDonald:

H. 1684. To repeal Act No. 17, H. 79, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 23) entitled, "An Act To authorize and provide for the payment out of the county treasury of the county composing such judicial circuit of a monthly allowance for expenses incurred in the conduct and maintenance of his office and in the proper and efficient performance and discharge of his duties to each circuit judge in every judicial circuit composed of one county having a population of not less than 42,000 nor more than 46,000 inhabitants, according to the last, or any subsequent, federal decennial census."

By Messrs. Culver, Bank and Parker (T):

H. 1740. Relating to counties having populations of not less than 115,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census; regulating further the sale of alcoholic beverages in such counties; and prescribing penalties for violations of the Act.

By Mr. Culver, et al:

H. 1694. To authorize and provide for the establishment, operation and financing of a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, for the representation and defense of persons accused of crime who are

declared indigent by the Courts; to establish a Public Defender Commission to operate said office; to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection of the Public Defender and for the employment and compensation of personnel and expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender Office; to provide for the taxing and collecting of additional court costs in certain courts in said counties for such purpose and for the expenditure thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the counties and Municipal bodies from which received.

By Messrs. Culver, Bank and Parker (T):

H. 1741. To repeal Act No. 730, H. 790 of the Regular Session of 1961 (Acts, 1961, p. 1044) entitled "An Act Relating to counties having populations of not less than 100,000 nor more than 115,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act."

By Messrs. Culver, Bank and Parker (T):

H. 1792. To apply only in counties having populations of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census; making provisions for recording change of ownership of motor vehicles, and prescribing penalties.

By Messrs. Culver, Bank and Parker (T):

H. 1793. To repeal Act No. 930, H. 1380, Regular Session 1961 (Acts 1961, p. 1490), entitled, "An Act which creates the office of commissioner of licenses in counties having populations of not less than 100,000 nor more than 115,000, according to the last and any subsequent federal decennial census, which act provides for the appointment, powers, duties and authority of the commissioner and transfers certain duties of the probate judge, tax assessor and tax collector to the commissioner of licenses."

By Messrs. Culver, Bank and Parker (T):

H. 1794. To repeal Act No. 652, H. 877, Regular Session 1967 (Acts 1967, p. 1472), entitled, "An Act To apply only in counties having populations of 100,000 nor more than 115,000 according to the most recent federal decennial census; making provisions for recording change of ownership of motor vehicles and prescribing penalties."

By Messrs. Culver and Parker (T):

H. 1795. To create the office of commissioner of licenses in counties in Alabama having populations of not less than one hundred fifteen thousand (115,000) and not more than one hundred fifty thousand (150,000) according to the last and any subsequent decennial federal census; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the

probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

By Messrs. Crowe and Naramore:

H. 1816. Relating to counties having a population of not less than 55,000 nor more than 56,500 according to the most recent federal decennial census; to provide for an increase from \$.50 to \$1.00 in the assessment fee on real and personal property in such counties.

By Messrs. Crowe and Naramore:

H. 1874. Relating to counties having populations of not less than 55,000 nor more than 56,500; to create in each of such counties a coliseum authority as a public corporation; for the purpose of providing a coliseum and related structures in such county; to provide for the appointment, term, and qualifications of the members of such authority; to prescribe the powers, duties and functions of said authority, including the power of eminent domain; to provide certain insurance coverage; to authorize the sale and issuance of interest bearing revenue bonds and refunding said bonds; to declare such bonds to be negotiable instruments; to exempt from taxation properties of said authority and the income therefrom, and the bonds and the income therefrom; and to levy a privilege tax on lodgings in each county coming under this act as a means of financing such coliseum and provide for its collection.

By Messrs. Crowe and Naramore:

H. 1875. To amend Act No. 342, H. 809, of the Regular Session of 1969 (Acts 1969-1970, p. 713), which regulates further nighttime hunting in certain counties of the state classified on a population basis, so as to authorize the taking, catching or killing of raccoons and o'possums in such counties during nighttime hours with a shotgun using number 8 shot as well as a .22 rifle using short cartridges.

By Messrs. Crowe and Naramore:

H. 1966. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the last or any subsequent decennial census; to authorize the attorneys retained and paid by such county governing bodies to defend any county employee sued because of an alleged act of negligence which occurred within the line and scope of that employee's employment.

By Messrs. St. John and Drake:

H. 1994. Relating to counties having a population of not less than 50,000 nor more than 52,500 according to the most recent federal decennial census; to provide for an annual clerk hire expense allowance to the probate judge of said counties.

By Messrs. Cauthen and Slate:

H. 2016. To repeal Act No. 189, H. 245 approved August 28, 1964, an Act relating to the Sheriff's deputies; number; tenure; and compensation in certain counties on a population basis (Acts of Alabama 1st and 2nd Special Sessions 1964, p. 254).

By Messrs. Cauthen and Slate:

H. 2017. To repeal Act No. 216, H. 207 approved May 10, 1967, an Act relating to the allowance for expenses of tax assessor, tax collector, sheriff, circuit court clerk, probate judge and county court judge in certain counties on a population basis (Acts of Alabama Organizational Special Regular Sessions 1967 vol. I, p. 258).

By Messrs. Cauthen and Slate:

H. 2018. To repeal Act No. 38, H. 8 approved June 28, 1967, an Act relating to the allowance for expenses of tax assessor, tax collector and circuit court clerk in certain counties on a population basis (Acts of Alabama Organizational Special Regular Sessions 1967 vol. I, p. 367).

By Messrs. Cauthen and Slate:

H. 2019. To repeal Act No. 66, H. 55 approved February 7, 1956, an Act relating to the expenditures for offices of probate judge, sheriff, tax collector, tax assessor and circuit court clerk in certain counties on a population basis (Acts of Alabama Special Sessions 1956 vol. I, p. 99).

By Messrs. Cauthen and Slate:

H. 2028. To repeal Act No. 382, H. 880 approved August 30, 1963, an Act relating to counties having a population of not less than 76,000 nor more than 96,000: Providing for the reidentification of all registered voters; directing the Board of Registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification (Acts of Alabama 1963 vol. 2, p. 884).

By Messrs. Cauthen and Slate:

H. 2029. To repeal Act No. 190, H. 246 approved August 28, 1964, an Act relating to the salary and expense allowance of judge of probate in certain counties on a population basis (Acts of Alabama 1st and 2nd Special Sessions 1964, p. 254).

By Messrs. Carter and Cross (with notice and proof):

H. 2042. Relating to the City of Athens in Limestone County; providing for the term of the Mayor and for overlapping terms of the members of the City Council.

By Messrs. Carter and Cross:

H. 2043. Further regulating the meetings of the county board of registrars in counties having a population of not less than 39,500 nor more than 41,750 according to the most recent federal decennial census.

By Messrs. Carter and Cross:

H. 2044. To provide expense allowance for the incumbent Circuit Court Clerk in all counties having a population of not less than 39,500 nor more than 41,750, said allowance to commence October 1, 1971, and to expire at the end of the term of the office of the incumbent Circuit Court Clerk and to be payable out of the general funds of the respective counties.

By Messrs. Carter and Cross:

H. 2045. To provide for the compensation and expense allowances for certain officers and employees and to provide additional allowances

for the employment of deputies, clerks and other assistants in all counties having a population of not less than 39,500 nor more than 41,750.

By Messrs. St. John and Drake:

H. 2046. Relating to counties having populations of not less than 50,000 nor more than 52,500 according to the last or any subsequent federal decennial census; to authorize the Clerk of the Circuit Court to hire clerical help and fixing the compensation and method of payment thereof.

By Messrs. Robertson and Parker (T):

H. 2050. Relating to Circuits composed of one County having a population of not less than 110,000 nor more than 160,000: To create and establish therein the office of ex-officio judge of any county court exercising original jurisdiction over general misdemeanor cases.

By Mr. Grey (D) (with notice and proof):

H. 2066. To alter, rearrange and extend the corporate limits of the Town of Millport, Lamar County, Alabama:

By Mr. Lang: (with notice and proof):

H. 2088. Relating to Pickens County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine the number of deputies and their salaries.

By Messrs. Culver, Parker (T) and Bank:

H. 2090. To grant legislative relief to officers of counties having a population of not less than 110,000 and not more than 150,000 having been paid expenses under the provisions of Act No. 581, Acts of Alabama 1969, page 1068.

By Messrs. Culver, Bank and Parker (T):

H. 2091. To regulate further the fees and costs which registers are entitled to in cases wherein divorce, alimony, maintenance or support is sought in the circuit court of all counties having populations of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census.

By Messrs. King, Hearn, Lutz, Hale and Grainger:

H. 2092. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama, 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

By Messrs. King, Hearn, Lutz, Hale and Grainger:

H. 2093. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session, 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

By Messrs. Lutz, Hearn, King, Hale and Grainger:

H. 2095. Relating to the powers of cities having a population of not less than 135,000 and not more than 185,000 according to the 1970 or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic character of the city, including designating historic districts, defining the boundaries of such districts, establishing certain agencies, procedures and regulations to promote the preservation of such districts, conferring certain duties and powers upon such agencies, and adopting other provisions necessary to effect the purposes of this Act.

By Messrs. Grainger, King, Hearn, Lutz and Hale:

H. 2096. To repeal Act No. 298, H. 516, 1965 Regular Session of the Legislature of Alabama, approved August 10, 1965, relating to the authority of incorporated cities and towns within the State of Alabama having a population of not less than 70,000 nor more than 120,000 according to the last or any subsequent Federal Decennial Census, to provide by ordinance for the levy and assessment of sales and use tax, parallel to the State levy of sales and use tax.

By Messrs. King, Hearn, Lutz, Hale and Grainger:

H. 2094. Authorizing any municipality having a population of not less than 135,000 nor more than 185,000 according to the 1970 or any subsequent Federal Decennial Census, to create a Planning Commission having certain powers, duties and regulations.

By Messrs. Grainger, King, Hearn, Lutz and Hale:

H. 2097. To repeal Act No. 10, S. 17, 1965 Second Special Session, approved September 21, 1965, relating to city recorder; providing for appointment of recorders in cities having a population of not less than 70,000 nor more than 100,000.

By Messrs. Grainger, Hale, King, Hearn and Lutz:

H. 2098. To repeal Act No. 90, H. 214, 1965 Second Special Session, approved September 30, 1965, relating to off-street automobile parking facilities in cities having a population of not less than 70,000 nor more than 120,000 according to the last or any subsequent Federal Decennial Census.

By Messrs. Hale, Lutz, Grainger, King and Hearn:

H. 2099. To repeal Act No. 104, S. 239, 1965 Regular Session, providing further for the terms of the mayor and council of all cities having populations of not less than 70,000 nor more than 120,000 according to the 1960 or any subsequent Federal Decennial Census.

By Messrs. Hale, Lutz, Grainger, King and Hearn:

H. 2100. To repeal Act No. 401, H. 971, 1963 Regular Session, approved August 30, 1963, as amended, pertaining to the creation of Planning Commissions within municipalities having a population of not less than 70,000 nor more than 130,000 according to the most recent Federal Decennial Census.

By Messrs. Hale, King, Hearn, Lutz and Grainger:

H. 2101. To repeal Act No. 1217, H. 1479, 1969 Regular Session, approved September 13, 1969, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, authorizing said municipality

to provide the municipal gas utility boards to make certain expenditures without prior consent and approval of the governing body.

By Messrs. Hale, King, Hearn, Lutz and Grainger:

H. 2102. To authorize the governing bodies of all municipalities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session, 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

By Messrs. Hale, King, Hearn, Lutz and Grainger:

H. 2103. To repeal Act No. 1215, H. 1477, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, and authorizing waterworks utility boards to make certain expenditures without the prior consent and approval of the governing bodies.

By Messrs. Lutz, Hearn, King, Hale and Grainger:

H. 2104. Authorizing all municipalities in the State which now have or may hereafter have a population of not less than 135,000 and not more than 185,000 inhabitants according to the 1970 or any subsequent Federal Decennial Census to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within such municipalities, or any accumulation of trash, rubbish, junk or debris, or any unsightly or dangerous walls, or any abandoned construction of any kind or nature, or motor vehicles or machinery not in operating condition, or any debris of a burned building, or any abandoned or unused swimming pool, or any abandoned wells or cisterns, to be a public nuisance and creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same.

By Messrs. Lutz, Hearn, King, Hale and Grainger:

H. 2105. Relating to city recorders; providing for appointment of recorders in cities having populations of not less than 135,000 nor more than 185,000, according to the 1970 or any subsequent Federal Decennial Census.

By Messrs. Hearn, Lutz, King, Hale and Grainger:

H. 2106. To repeal Act No. 395, H. 833, Regular Session, 1961, approved August 7, 1961, as amended, which said act relates to the election of the mayor and council of all cities having populations of not less than 70,000 nor more than 120,000 according to the 1960 or any subsequent Federal Decennial Census.

By Messrs. Hearn, Lutz, King, Hale and Grainger:

H. 2107. To repeal Act No. 209, S. 32, 1961 Special Session, approved September 15, 1961, providing for the adoption of a commission form of government in cities having a population of more than 70,000 and not more than 100,000.

By Messrs. Hearn, Lutz, King, Hale and Grainger:

H. 2108. Relating to counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent



federal decennial census; authorizing any purchaser or encumbrancer of real property situated in any municipality in any such county, or the attorney of such purchaser or encumbrancer, to request in writing from the clerk of the municipality in which the property is located a statement as to whether there is or will be any encumbrance against a particular piece of property because of any public improvement for which an ordinance has been adopted.

By Messrs. King, Hearn, Hale, Grainger and Lutz:

H. 2110. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

By Messrs. King, Hearn, Hale, Grainger and Lutz:

H. 2111. Relating to counties having a population of not less than 175,000 nor more than 300,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

By Messrs. King, Hearn, Hale, Grainger and Lutz:

H. 2112. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 175,000 nor more than 300,000 inhabitants according to the then next preceding Federal census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

By Messrs. Hearn, Hale, Grainger, Lutz and King:

H. 2113. To apply only in counties in the state having a population of not less than 175,000 nor more than 300,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

By Messrs. Hearn, Hale, Grainger, Lutz and King:

H. 2114. Providing for the collection of a filing fee on instruments, documents and papers filed for record in the office of the Probate Judge of each county having a population of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal decennial census; further providing that the governing body of such counties may impose an additional filing fee for the filing and recording of the enumerated instruments.

By Messrs. Hearn, Hale, Grainger, Lutz and King:

H. 2115. To provide, in all judicial circuits composed of one county having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census, for placing in the general fund of

the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2116. To prescribe the maximum amount of compensation allowable to members of jury commissions in all counties having populations of not less than 175,000 nor more than 300,000 according to the last federal decennial census.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2117. To provide further for the compensation of election officials in each county having a population of not less than 175,000 nor more than 300,000, according to the 1960 or any subsequent federal decennial census.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2118. To apply only in counties having a population of not less than 175,000 nor more than 300,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2119. To apply only in counties having populations of not less than 175,000 nor more than 300,000 according to the then next preceding federal census; authorizing the court of county commissioners, board of revenue or other like county governing body to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 2120. Relating to registration of voters; providing for meeting days of board of registrars in counties of 175,000 to 300,000 population according to the last Federal Decennial Census; and providing for clerical assistants to be furnished to the board by county and city government.

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 2121. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and to certain cities therein; providing for acquisition, construction, maintenance, management, and operation of places of detention for juveniles and persons confined on orders of family court judges in such counties and cities.

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 2122. To provide for establishment and operation of family court divisions of the circuit courts of all counties having populations of not less than 175,000 nor more than 300,000; prescribing the jurisdiction of such court divisions and providing for selection, appointment, qualifications, tenure, and compensation of their officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

By Messrs. Hale, Lutz, King, Hearn and Grainger:

H. 2123. Relating to counties having populations of not less than 175,000 nor more than 300,000, according to the most recent Federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted by other than accidental means, upon children under the age of sixteen years; physicians, institutions and others from any liability, civil, or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

By Messrs. Hale, King, Hearn, Grainger and Lutz:

H. 2124. Relating to counties having populations of not less than 175,000 nor more than 300,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

By Messrs. Manley and Pruitt:

H. 2130. To provide the tax assessors and tax collectors of counties having populations of not less than 23,800 nor more than 23,925 an allowance for clerical assistance, such allowance to be payable out of the general fund of the county.

By Messrs. Cross and Carter:

H. 2135. Relating to counties having a population of not less than 27,000 nor more than 27,900, according to the most recent federal decennial census; to provide that where the chairman of the governing body of such counties is authorized to employ a clerk to whom he may delegate any clerical or purely administrative duty and that the salary of such clerk shall be established and provided for by the county governing body.

By Messrs. McDonald, St. John and Drake:

H. 2153. Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; providing that the jury commission and board of registrars for said counties be allowed 10 extra authorized meeting days each year, and to provide further for an expense allowance for the members of said bodies.

By Messrs. Hale, Lutz, King and Hearn:

H. 2125. To authorize and make provision for the incorporation in any county having a population of not less than 175,000 nor more than 300,000, according to the last or any subsequent federal decennial census, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such authority to be organized, application be made to the governing body of the county in which such authority is to be organized and to the governing body of at least one municipality therein and that permission for organization of such authority be granted by each such governing body; to provide for the

election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that the county in which any authority has been organized and each municipality which duly authorized the organization of such authority may aid and cooperate in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking, acquisition, construction and operation of airports and airport facilities of an authority organized pursuant to this act; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agent, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence and by forecloseable mortgage on any property of such authority whether then in existence and thereafter acquired; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which such authority is organized and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

By Messrs. McDonald, St. John and Drake:

H. 2154. To increase the amount of sick leave with pay allowed school bus drivers in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

By Messrs. McDonald, St. John and Drake:

H. 2155. Authorizing counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide the County Superintendent of Education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer.

By Messrs. McDonald and Drake:

H. 2156. To repeal Act No. 229, S. 148, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 314) entitled, "An Act to authorize county governing bodies to expend funds to furnish office space, equipment, supplies and clerical assistance for boards of registrars in counties composing a one-county judicial circuit, which counties have a population of less than 500,000 and having two courthouses where circuit court is required by law to be held."

By Messrs. McDonald, St. John and Drake:

H. 2157. To authorize the governing bodies of all counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars.

By Messrs. McDonald and Drake:

H. 2158. To repeal Act No. 350, H. 872, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 487) entitled, "An Act relating to counties having a population of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county."

By Messrs. McDonald, St. John and Drake:

H. 2159. Relating to all counties having a population of not less than 53,000 nor more than 55,000 based on the most recent federal decennial census; to provide additional compensation, payable from county funds, for the register of the county court in any such county.

By Messrs. McDonald and Drake:

H. 2160. To repeal Act No. 236, S. 428, approved August 16, 1967, Regular Session (Acts 1967, p. 612) entitled, "An Act to authorize all counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census, and all municipalities and all public hospitals in such counties to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve such counties, municipalities and public hospitals furnishing such service therein from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services."

By Messrs. McDonald, St. John and Drake:

H. 2161. To authorize counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, and all municipalities and all public hospitals in said counties to create, establish, maintain and operate ambulance services on a profit or non-profit basis; to declare the furnishing of such ambulance service to be a governmental function; and to relieve such counties, municipalities and public hospitals furnishing such service therein from liability for death, personal injury or property damage growing out of or resulting from the maintenance and operation of such ambulance services.

By Messrs. McDonald and Drake:

H. 2162. To repeal Act No. 65, H. 99, approved April 23, 1963, Second Special Session 1963 (Acts 1963, p. 227) entitled, "An Act to

apply in all those counties in Alabama having not less than 46,500 population and not more than 49,000 population according to the latest or any subsequent federal decennial census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties."

By Messrs. McDonald and Drake:

H. 2163. To repeal Act No. 797, H. 972, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1439) entitled, "An Act to apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax collector of each of such counties."

By Messrs. McDonald, St. John and Drake:

H. 2164. Providing additional expense allowances for the tax collector of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

By Messrs. McDonald and Drake:

H. 2165. To repeal Act No. 465, H. 535, approved September 7, 1967, Regular Session 1967 (Acts 1967, p. 1156) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the disposition and use of such fees."

By Messrs. McDonald, St. John and Drake:

H. 2166. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws.

By Messrs. McDonald and Drake:

H. 2167. To repeal Act No. 1021, S. 875, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1901) entitled, "An Act to apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional allowances for clerk hire fund for the office of Probate of such counties."

By Messrs. McDonald, St. John and Drake:

H. 2168. Providing additional allowances for clerk hire fund for the office of Probate in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

By Messrs. McDonald and Drake:

H. 2169. To repeal Act No. 798, H. 973, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1439) entitled, "An Act to apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessor of each of such counties."

By Messrs. McDonald, St. John and Drake:

H. 2170. Providing additional expense allowances for the tax assessor of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

By Messrs. McDonald and Drake:

H. 2171. To repeal Act No. 109, H. 147, approved August 19, 1966, Special Session 1966 (Acts 1966, p. 140) entitled, "An Act to regulate further the feeding of prisoners in jail in all counties having populations of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census."

By Messrs. McDonald, St. John and Drake:

H. 2172. To regulate further the feeding of prisoners in jail in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

By Messrs. McDonald and Drake:

H. 2173. To repeal Act No. 795, H. 949, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1429) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000; authorizing the county governing body to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county."

By Messrs. McDonald, St. John and Drake:

H. 2174. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; authorizing the county governing bodies of said counties to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county.

By Mr. Coshatt (with notice and proof):

H. 2177. To abolish the Office of County Solicitor of St. Clair County, and to create in lieu thereof the office of Deputy District Attorney for St. Clair County and to provide for his duties, selection and compensation.

By Messrs. Connell and Crawford (with notice and proof):

H. 2199. To amend further Section 4 of Act No. 553, H. 145, Regular Session 1955 (Acts 1955, p. 1210) as last amended which provides housing authorities and municipalities within the State of Alabama with certain power in respect to urban renewal, so as to remove an exception relating to Houston County.

By Messrs. Connell and Crawford (with notice and proof):

H. 2200. To provide an additional expense allowance for the tax collector, tax assessor and county revenue commissioner of Houston County.

By Messrs. Manley and Pruitt:

H. 2217. Relating to all counties having populations of not less than 14,500 nor more than 15,500 according to the last federal decennial census; providing further for the manner of payment of the sheriff and his deputies.

By Messrs. Manley and Pruitt:

H. 2220. Relating to counties having populations not less than 14,500 nor more than 15,500; to impose a privilege license or excise tax on sellers, distributors, storers, or users of malt or brewed beverages in such counties; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

By Messrs. Culver, Parker (T), Robertson and Bank (with notice and proof):

H. 2224. To allow the Clerk of the Circuit Court, and the Register of the Circuit Court in Equity, of the Sixth Judicial Circuit of Alabama, the option, within their own discretion, to determine whether they shall come within the provisions of Act No. 566, S. 117, Regular Session 1969 (Acts 1969, p. 1046).

By Messrs. King, Lutz, Hearn, Hale and Grainger (with notice and proof):

H. 2229. To provide for further clerical assistance to the jury commission in Madison County.

By Messrs. Carter and Cross (with notice and proof):

H. 2233. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Athens, in Limestone County, Alabama, so as to annex certain territory to the City of Athens, in Limestone County, Alabama.

By Messrs. Lutz, Hale, King, Hearn and Grainger (with notice and proof):

H. 2237. Changing the method of collecting and accounting for fees charged for the photographing and microphotographing of public records filed in the offices of the Clerk and Register of the Circuit Court of Madison County, Alabama, and repealing a portion of Act No. 464 of 1959.

By Messrs. McDonald and Drake (with notice and proof):

H. 2243. To alter, rearrange, and extend the boundary lines of the corporate limits of the City of Arab in Marshall County; to limit the Sanitary Sewer Board of the City of Arab from operating within the annexed area; and to establish the effective date of the act.

By Messrs. Crowe and Naramore (with notice and proof):

H. 2255. Relating to Walker County; regulating costs and charges of certain courts in said county.

By Mr. Owens (with notice and proof):

H. 2275. Relating to Hale County; to authorize the county commission to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance.

By Mr. Owens (with notice and proof):

H. 2276. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Hale County.

By Mr. Owens (with notice and proof):

H. 2277. Relating to Hale County; regulating the insuring of public school buildings and the contents thereof.



By Mr. Owens:

H. 2278. To repeal Act No. 869, S. 467, approved September 3, 1965, Regular Session 1965 (Acts 1965, p. 1630), entitled, "An Act To apply only in counties having populations of not less than 19,500 nor more than 20,000; regulating the insuring of public school buildings and the contents thereof in such counties."

By Mr. Owens:

H. 2279. To repeal Act No. 93, H. 237, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 126), entitled, "An Act To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury."

By Mr. Owens:

H. 2280. To repeal Act No. 756, H. 1432, approved September 8, 1961, Regular Session 1961 (Acts 1961, p. 1079), entitled, "An Act To authorize, direct, and require the court of county commissioners, board of revenue, or like governing body of any county having a population of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census, to cover the employees of the county under the Workmen's Compensation Act."

By Mr. Owens:

H. 2281. To repeal Act No. 558, H. 571, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1313), entitled, "An Act To apply only in counties having populations of not less than 19,500 nor more than 20,000, fixing the fee for issuance of pistol permits by the sheriff and providing for disposition and use of such fees."

By Mr. Owens:

H. 2283. To repeal Act No. 877, H. 1221, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1585), entitled, "An Act Relating to all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties."

By Mr. Owens:

H. 2284. To repeal Act No. 157, H. 176, approved, May 14, 1969, Special Session 1969 (Acts 1969, p. 224), entitled, "An Act To fix expense allowances of courts of county commissioners, boards of revenue or like governing bodies of all counties having a population of not less than 19,500 nor more than 20,000 according to the most recent federal decennial census, with retroactive effect."

By Mr. Owens:

H. 2285. To repeal Act No. 934, H. 1348, approved, September 12, 1969, Regular Session 1969 (Acts 1969, p. 1671), entitled, "An Act Relating to counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance, to repeal conflicting laws."

By Mr. Owens (with notice and proof):

H. 2286. Relating to Hale County; to regulate the compensation of members of the county board of registrars, board of equalization, and jury commission; providing for payment of additional compensation from the county treasury.

By Mr. Owens (with notice and proof):

H. 2287. Relating to Hale County; to fix expense allowances of the county commission with retroactive effect.

By Mr. Owens (with notice and proof):

H. 2288. Relating to Hale County; to authorize, direct, and require the county commission to cover the employees of the county under the Workmen's Compensation Act.

By Mr. Owens (with notice and proof):

H. 2289. Relating to Hale County; to provide an additional expense allowance for the members of the county board of education.

By Mr. Owens (with notice and proof):

H. 2290. Relating to Hale County; fixing the fee for issuance of pistol permits by the sheriff and providing for disposition and use of such fees.

By Mr. Owens (with notice and proof):

H. 2291. Relating to certain offices and officers of Bibb County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

By Mr. Owens:

H. 2292. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Bibb County; and the regulation of costs and charges of courts in said county.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Owens (with notice and proof):

H. 2293. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Bibb County.

By Mr. Owens (with notice and proof):

H. 2294. Relating to Bibb County, providing further for the election of members of the governing body of said county.

By Mr. Owens (with notice and proof):

H. 2295. To authorize the county governing body of Bibb County to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance.

By Mr. Owens (with notice and proof):

H. 2296. To provide for reimbursing the chairman or other presiding officer and the members of the county governing body of Bibb County for certain expenses incurred in travel outside their county.

By Mr. Owens:

H. 2297. To repeal Act No. 865, H. 1192, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1576) entitled, "An Act To provide for reimbursing the chairman or other presiding officer and the members of the county governing bodies of all counties having populations of not less than 14,300 nor more than 14,800 according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county."

By Mr. Owens:

H. 2298. To repeal Act No. 933, H. 1347, approved, September 12, 1969, Regular Session 1969 (Acts of Alabama 1969, p. 1670) entitled, "An Act Relating to counties having populations of not less than 14,300 nor more than 14,800, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws."

By Mr. Owens:

H. 2299. To repeal Act No. 503, H. 1101, approved, August 20, 1965, Regular Session 1965 (Acts of Alabama 1965, p. 743) entitled, "An Act To apply only in counties of the state having populations of not less than 14,300 nor more than 14,800 inhabitants according to the last or any subsequent federal decennial census, to further regulate the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a private license tax has been paid; prohibiting the sale of fish so taken."

By Messrs. Grainger, Lutz, King, Hearn and Hale:

H. 2302. To confer upon the district attorney and other district attorneys in all counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the last or any subsequent federal decennial census the power to take oaths in support of complaints and to issue warrants in all criminal cases in such counties.

By Messrs. King, Hearn, Hale, Grainger and Lutz:

H. 2303. To provide, in any county of the State of Alabama having a population of not less than 175,000 nor more than 300,000, according to the last Federal Decennial Census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation, and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

By Messrs. Lutz, King, Hearn, Hale and Grainger:

H. 2304. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 175,000 and 300,000 persons according to the last Federal Decennial Census.

By Messrs. Hearn, Hale, Grainger, Lutz and King:

H. 2305. To regulate further the compensation of members of the county board of registrars in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

By Messrs. Hale, Grainger, Lutz, King and Hearn:

H. 2306. Relating to the practice of barbering in all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

By Messrs. King, Hale, Hearn, Grainger and Lutz:

H. 2307. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 175,000 and not more than 300,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

By Mr. May:

H. 2362. Relating to all counties having populations of not less than 34,875 nor more than 36,000 according to the most recent federal decennial census; providing an expense allowance for the circuit clerk of such counties.

By Messrs. King, Lutz, Grainger, Hearn and Hale:

H. 2377. Relating to counties having populations of not less than 175,000 nor more than 300,000 inhabitants according to the most recent or any subsequent federal decennial census, to empower any county planning commission now existing or which hereafter may be created in such counties to merge or consolidate with any consenting planning commission of an incorporated municipality in that county.

By Messrs. McDonald and St. John:

H. 2378. To repeal Act No. 65, H. 99, approved April 23, 1963, Second Special Session 1963 (Acts 1963, p. 227) entitled, "An Act to apply in all those counties in Alabama having not less than 46,500

population and not more than 49,000 population according to the latest or any subsequent federal decennial census, and further regulating and prescribing the qualifications of persons engaging in the Bail Bond business in such counties."

By Messrs. McDonald, St. John and Drake:

H. 2379. To regulate and prescribe the qualifications of persons engaging in the Bail Bond business in counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census.

By Messrs. McDonald, St. John and Drake:

H. 2380. To repeal Act No. 990, S. 596, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1755) entitled, "An Act to provide for the compensation of the register of the circuit court of any county having a population of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws."

By Messrs. McDonald, St. John and Drake:

H. 2381. To repeal Act No. 624, S. 466, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1138) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to amend Act No. 628, H. 820, Regular Session 1967 (Acts 1967, p. 1431), an act which provides further for clerk hire allowances for certain county officers and repeals conflicting laws, amending such act in relation to the clerk hire allowance for the circuit clerk."

By Messrs. McDonald, Drake and St. John:

H. 2382. To repeal Act No. 628, H. 820, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1431) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census, providing further for clerk hire allowances for certain county officers, repealing conflicting laws."

By Messrs. McDonald, St. John and Drake:

H. 2383. Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide further for clerk hire allowances for certain county officers, repealing conflicting laws.

By Messrs. McDonald, St. John and Drake:

H. 2384. To provide for the compensation of the register of the circuit court of any county having a population of not less than 53,000 nor more than 55,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

By Messrs. McDonald, St. John and Drake:

H. 2385. To repeal Act No. 169, H. 153, approved September 15, 1961, Special Session 1961 (Acts of Alabama 1961, p. 2123) entitled, "An Act to authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than forty-seven thousand (47,000) nor more than forty-nine thousand (49,000) inhabitants according to the last or any subsequent federal decennial census."

By Messrs. McDonald, St. John and Drake:

H. 2386. To repeal Act No. 251, H. 226, approved September 4, 1964, Special Session 1964 (Acts 1964, p. 348) entitled, "An Act to provide for additional supplemental salary to be paid by counties to circuit judges of circuits composed of only one county with a population under 500,000 and having two court houses where circuit court is required by law to be held; to fix the amount and method of payment thereof; and to further provide for the effective date of this Act."

By Messrs. McDonald, St. John and Drake:

H. 2387. To provide for additional supplemental salary to be paid to circuit judges of the Twenty-seventh Judicial Circuit, and to fix the amount and method of payment thereof.

By Messrs. McDonald, St. John and Drake:

H. 2388. To repeal Act No. 806, H. 1018, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1450) entitled, "An Act relating to judicial circuits composed of one county which county has a population of not less than 47,000 and not more than 49,000 and which county has two courthouses, authorizing the district attorney of such circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county composing such circuit."

By Messrs. McDonald, St. John and Drake:

H. 2389. Authorizing the district attorney of the Twenty-seventh Judicial Circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county.

By Mr. McDonald:

H. 2390. To repeal Act No. 1000, S. 799, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1866) entitled, "An Act relating to counties having populations not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to increase the compensation of the judge of the County Court in such counties; to repeal conflicting laws."

By Messrs. McDonald, St. John and Drake:

H. 2391. To increase the compensation of the judge of the County Court in counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census.

By Messrs. McDonald, St. John and Drake:

H. 2392. To repeal Act No. 424, H. 1012, approved August 16, 1965, Regular Session 1965 (Acts 1965, p. 625) entitled, "An Act to provide additional compensation for the official court reporters of all judicial circuits composed of only one county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census."

By Messrs. McDonald, St. John and Drake:

H. 2393. To provide additional compensation for the official court reporters of the Twenty-seventh Judicial Circuit.

By Messrs. McDonald, Drake and St. John:

H. 2394. To repeal Act No. 548, S. 609, approved September 7, 1967, Regular Session 1967 (Acts 1967, p. 1297), entitled "An Act relating to all counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census, providing further for the expense allowances of the chairman and members of the county governing body.

By Messrs. McDonald, St. John and Drake:

H. 2395. Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide further for the expense allowances of the chairman and members of the county governing body.

By Mr. McDonald:

H. 2396. To repeal Act No. 497, S. 395, approved September 14, 1963, Regular Session 1963 (Acts 1963, p. 1065) entitled, "An Act to authorize circuit solicitors of circuits composed of only one county with a population under 500,000 and having two courthouses where circuit court is required by law to be held to employ a secretarial assistant; to prescribe the powers, duties and compensation of such secretarial assistant, and to provide for payment of such compensation from the general fund of the county composing such circuit."

By Messrs. Agee and McCorquodale:

H. 2398. To amend further Section 1 of Act No. 84, H. B. 115, Regular Session 1963 (Acts 1963, p. 464) as amended, which act provides further for clerk hire for the probate judge in certain counties classified on a population basis.

By Messrs. Agee and McCorquodale:

H. 2399. To amend further Section 1 of Act No. 190, H. 601, Regular Session 1963 (Acts 1963, p. 572), as amended, which Act provides further for the expense allowance for members of the governing body of certain counties classified on a population basis.

By Messrs. McDonald and St. John:

H. 2400. To repeal Act No. 155, H. 173, approved May 14, 1969, Special Session 1969 (Acts 1969, p. 222) entitled, "An Act relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws."

By Messrs. Benton and Kinsey (with notice and proof):

H. 2452. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Baldwin County and municipalities therein to levy and collect additional property taxes for public library purposes, providing for the rate of the tax and the manner in which elections under this amendment shall be called.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Benton and Kinsey:

H. 2454. Relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; to provide that any person willfully retaining any property on loan from a public library or other educational institution or having lost the same, fails to tender the replacement value thereof, shall after thirty days notice be guilty of a misdemeanor.

By Messrs. Kinsey and Benton:

H. 2456. Relating to counties having populations of not less than 57,000 nor more than 61,000; authorizing the probate judge of any such county to make official visits to the precincts within his county and providing for payment of certain expenses incurred in such visits.

By Messrs. Jackson and Wise:

H. 2459. Relating to counties having populations of not less than 34,000 nor more than 34,800 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

By Messrs. Cottingham and Turner (with notice and proof):

H. 2489. Relating to Dallas County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act. No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298) as amended, and the Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; providing penalties for violations of the act; and providing that the tax shall not become effective until an election on levying the tax has been held and a majority of the electors voting therein have approved the tax.

By Messrs. Agee and McCorquodale (with notice and proof):

H. 2495. To provide further for purging the lists of registered voters in Washington County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars and the county governing body relative to the reidentification of registered voters; and providing penalties for making a willful false statement in connection with reidentification.

By Messrs. King, Lutz, Hearn, Grainger and Hale:

H. 2498. To authorize counties having a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census; to require building permits for any structures erected in said county; to authorize and provide a means to implement the provisions of said Act; to authorize funds necessary to implement this procedure.

By Messrs. Manley and Pruitt (with notice and proof):

H. 2499. Relating to Marengo County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act by the probate judge and the collection, appointment, and distribution of the proceeds of the tax; prescribing penalties for violations.



By Messrs. Manley and Pruitt (with notice and proof):

H. 2500. Legalizing the sale of draft or keg beer or malt beverages in Marengo County.

By Messrs. Manley and Pruitt (with notice and proof):

H. 2501. Relating to Marengo County; to prohibit the consumption and sale or giving away of alcoholic beverages for the purpose of consumption on the premises of retail licensees located outside the police jurisdiction of any municipality, unless a license therefor has been issued by the Alcoholic Beverage Control Board; to authorize municipal governing bodies to prohibit on-premises consumption and sale or giving away for the purpose of consumption of alcoholic beverages, unless a license therefor has been issued by said Board; and prescribing penalties for violation.

By Messrs. Pruitt and Manley (with notice and proof):

H. 2502. To establish a Sumter County Court of Record for Sumter County, Alabama, to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensation; to provide that said Court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure for said Court; to provide a fine and forfeiture fund for said Court; and to abolish the County Court of Sumter County, Alabama.

By Messrs. Robertson, Parker (T), Bank and Culver:

H. 2511. Relating to counties having a population of not less than 115,000 nor more than 150,000 according to the most recent federal decennial census; to provide that the county governing body and the city governing body of the largest city in said county shall each pay Mr. Olen H. Stewart \$100 apiece as a result of damages sustained to his vehicle because of a manhole cover being left off a city-county project.

By Messrs. Baker and Chesnut (with notice and proof):

H. 2563. Relating to DeKalb County; to provide for juries composed of six members for trial of certain cases in the DeKalb County Court.

By Messrs. Baker and Chesnut (with notice and proof):

H. 2564. To fix the salary for the County Solicitor (Deputy District Attorney) of DeKalb County.

By Messrs. Baker and Chesnut (with notice and proof):

H. 2565. Relating to the municipality of Geraldine in DeKalb County to alter, re-arrange and extend the boundaries of the Town of Geraldine.

By Messrs. Baker and Chesnut (with notice and proof):

H. 2566. To alter or re-arrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described.

By Messrs. Lutz, King, Grainger, Hale and Hearn:

H. 2575. Relating to counties having a population of not less than 175,000 nor more than 300,000 according to the 1970 or any subsequent

federal decennial census; authorizing the establishment of a Local Government Study Commission; fixing the powers and duties of such commission; and providing for its membership.

By Messrs. Hearn, Grainger and Lutz (with notice and proof):

H. 2576. To provide for the manner and procedure for the election of members of the Madison County Commission or like governing body that may be created for Madison County, Alabama.

By Messrs. Jones (F) and Taylor:

H. 1118. To provide further for the form of government of cities having populations of not less than 70,000 nor more than 135,000 according to the most recent federal decennial census; authorizing abandonment of the existing form of government and adoption of a mayor-council form of government, and describing the appointment, election, compensation, powers, duties, and authority of municipal officers and employees under such mayor-council form of government; providing for a referendum of the qualified electors to decide whether to adopt said new form of city government.

By Mr. Jones (F):

H. 1119. Relating to cities having populations of not less than 70,000 nor more than 135,000 according to the most recent federal decennial census, to provide for the regulation of campaign expenditures in the municipal elections of such cities; to provide for the reporting and investigating of alleged violations of any of the provisions of this act; to describe the methods of appeal from such decisions and to describe the penalties for any violations of these provisions.

By Messrs. Taylor and Straiton:

H. 1787. To create within any county in this state having a population of not less than 150,000, nor more than 180,000, according to the last or any subsequent federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority, and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations; to make it unlawful for any parent, guardian, or other person to aid, encourage or cause any child under eighteen years of age to become or remain dependent, neglected or delinquent, to provide for appeals from the judgments or orders of the Court, and to provide, when such orders shall be suspended pending appeal, for the administering of oaths and issuing of warrants; to provide for transfers from the Juvenile Court to other courts; and to provide for expenses for the Judge of said court when attending schools or seminars.

By Messrs. Jones (F), Straiton, Harris, Taylor and Hobbie (with notice and proof):

H. 1891. To create in the City of Montgomery in connection with the regular organized and paid Fire Department of the City the Montgomery Fire Fighters Pension Fund; to create a board of trustees of the Montgomery Fire Fighters Pension Fund and to provide for the organization of such board of trustees; to designate certain members of said board and provide for the selection of such members; to prescribe the powers and duties of said board and its officers and agents; to provide for the use, management and control of said Fund; to provide for the payment into such Fund of a certain percentage of the gross

premiums now being collected from fire insurance companies doing business within such City for said Fund, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report and for enforcing such penalty; to provide for the payment into such Fund of a portion of the monthly salary of each member of such Fire Department; to provide for pensions for disabled and retired members of such Fire Department and the spouse and minor children of such disabled and retired members; to provide for the payment of the costs of administering said Fund; to prescribe the duties of such City officials in connection with the said board of trustees and the said Fund; to provide for the repeal of all laws in conflict herewith; and to provide the effective date of this act.

By Mr. Jones (F):

H. 1991. Relating to incorporated cities having a population of not less than 70,000 nor more than 135,000, according to the last or any subsequent federal decennial census; providing for the establishing of rules and regulations governing the condemning and removing property within the city limits.

By Messrs. Jones (F), Hobbie, Straiton and Harris:

H. 2049. To amend Section 1 of Act No. 26, H. 48, Special Session 1962 (Acts 1962, p. 37), which provides for the payment of benefits to employees who are totally disabled as a result of injuries received in the performance of their official duties in certain cities classified on a population basis.

By Mr. Turnham:

H. 2234. Relating to all counties having populations of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census; to provide \$15.00 per day for each of the members of the Board of Registrars while said Board is in session, and to provide the method of payment thereof.

By Mr. Turnham:

H. 2235. Relating to counties having a population of not less than 60,000 nor more than 65,000 according to the most recent federal decennial census; to provide for a sheriff allowance for feeding prisoners and to further provide for the sheriff to retain the fees and allowances for transporting insane and juvenile prisoners.

By Mr. Turnham:

H. 2236. Relating to counties having a population of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census, to provide that the county governing body of any such county that levies any tax on persons selling or distributing malt or brewed beverages in such counties may employ such personnel as may be needed to collect and enforce the tax and shall fix their compensation and tenure and shall deduct all reasonable expenses for collection and enforcement of such tax from the proceeds thereof.

By Mr. Jones (F) (with notice and proof):

H. 2333. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 34, 35 and 36, Township 16 N, Range 17 E, Montgomery County, Alabama.

By Mr. Jones (F) (with notice and proof):

H. 2334. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in the northeast corner of Section 6, T15N, R18E, Montgomery County, Alabama.

By Mr. Jones (F) (with notice and proof):

H. 2335. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 28, 29, 32 and 33, Township 16 N, Range 18 E, Montgomery County, Alabama.

By Mr. Jones (F) (with notice and proof):

H. 2338. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16N, Range 18 E, Montgomery County, Alabama.

By Mr. Jones (F):

H. 2406. To amend the title and Section 1 of Act No. 921, H. 1328, Regular Session 1969 (Acts 1969, p. 1660) which exempts art guilds and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions; to repeal conflicting laws in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2407. To amend the title and Section 1 of Act No. 97, S. 105, Special Session 1965 (Acts 1965, p. 111) which regulates the per diem pay of jurors in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2409. To repeal Act No. 244, H. 502, approved August 19, 1963, Regular Session 1963 (Acts 1963, p. 653), entitled, "An Act to provide additional compensation or salary for the official court reporters in all circuit courts in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 inhabitants according to the last preceding or any subsequent federal decennial census; and providing for the payment thereof."

By Mr. Jones (F):

H. 2411. To amend the title and Section 1 of Act No. 165, H. 215, Special Session 1965 (Acts 1965, p. 216) as last amended which fixes the fee for the issuance of a pistol permit by the sheriff, and provides for the disposition and use of such fee in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2412. To amend the title and Section 1 of Act No. 1008, S. 843, Regular Session 1969 (Acts 1969, p. 1882) which provides for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2413. To amend the title and Section 1 of Act No. 231, S. 402, Regular Session 1969 (Acts 1969, p. 555) which provides for payment to the Recorder of the Recorder's Court for ex officio services rendered in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding \$5,100 per annum, payable in 12 equal monthly installments from the county treasury; to provide for payment to the Prosecuting Attorney of the Recorder's Court for ex officio services in the prosecution of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding \$3,000 per annum, payable in 12 equal monthly installments out of the county treasury in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2414. To amend the title and Section 1 of Act No. 145, H. 541, Regular Session 1969 (Acts 1969, p. 418) which provides further for the duties of the judge of probate; to authorize the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2415. To amend the title and Section 1 of Act No. 144, H. 540, Regular Session 1969 (Acts 1969, p. 416) which provides further for the duties of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2416. To repeal Act No. 971, H. 1405, approved September 12, 1969, Regular Session 1969 (Acts 1969, p. 1716), entitled, "An Act to provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation status and tenure of office and providing for the payment of their salaries."

By Mr. Jones (F):

H. 2417. To amend the title and Section 1 of Act No. 369, H. 917, Regular Session 1969 (Acts 1969, p. 738) which fixes the compensation of the judge of probate, regulates the payment of same, and requires the judge of probate to pay into the County Treasury of said counties all costs and charges of court, fees, and commissions authorized by law to be collected by said judge of probate as other monies belonging to said county are paid, provided that the salary herein prescribed shall not affect any expense allowance heretofore provided, and repeals conflicting laws, specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792) in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2418. To amend the title and Section 1 of Act No. 685, H. 1093, Regular Session 1957 (Acts 1957, p. 1036) which provides for the election of the members of the County Commission in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2419. To amend the title and Section 1 of Act No. 288, S. 319, Regular Session 1955 (Acts 1955, p. 654) as last amended, which defines, regulates and licenses barbers and barber colleges, and other like businesses; to create a barber's Commission and define the powers and duties of said Commission; and to provide for an inspector, and to provide a penalty for the violation of the provisions thereof in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2420. To amend the title and Section 1 of Act No. 250, S. 312, Regular Session 1959 (Acts 1959, p. 810) as last amended, which creates a domestic relations division of the circuit court; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the juvenile court or any other special court having jurisdiction only of juveniles and domestic relations in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2421. To amend the title and Section 1 of Act No. 35, S. 34, Regular Session 1963 (Acts 1963, p. 120) which encourages medical and scientific research and the establishment of medical research facilities and the development of scientific research devices by exempting certain activities, persons, organizations, and properties from building and zoning restrictions, permits, and fees, and public health and sanitary inspection fees charges and limitations in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2422. To amend the title and Section 1 of Act No. 176, S. 372, Regular Session 1967 (Acts 1967, p. 536) which distributes a portion of the State Gasoline Excise Tax to be paid pursuant to the provisions of Section 5(b) of Act No. 224 in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2423. To amend the title and Section 1 of Act No. 654, H. 1275, Regular Session 1961 (Acts 1961, p. 792) which declares the public policy of the State with respect to violations of Section 420, Title 14, Code of Alabama (1940) as amended by certain subsequent Acts; determines that prosecution and the imposition of criminal penalties are inadequate deterrents to violations of that Act and that the remedy at law is insufficient, declares violations of that statute to be a legal nuisance; provides certain exemptions; prevents unfair competition among merchants through violations of that statute; provides procedures for prescribing evidentiary presumptions for the Act's enforcement by injunction, confers jurisdiction for enforcement upon equity courts in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2424. To amend the title and Section 1 of Act No. 341, H. 741, Regular Session 1951 (Acts 1951, p. 629) which provides for the payment of benefits to employees of certain counties who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of certain counties who are killed in the performance of their official duties in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2425. To amend the title and Section 1 of Act No. 49, H. 109, Special Session 1962 (Acts 1962, p. 68) which exempts Young Women's Christian Organizations (YWCO) and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2426. To amend the title and Section 1 of Act No. 50, H. 110, Special Session 1962 (Acts 1962, p. 69) which provides the procedure for initiating complaints under Act 295, Special Session, 1961, approved September 15, 1961, repealing in toto Title 6, Code of Alabama, 1940 in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2427. To amend the title and Section 1 of Act No. 22, S. 15, 2nd Special Session 1963 (Acts 1963, p. 190) which provides additional compensation or salary for the Official Court Reporters in all Circuit Courts in certain counties classified on a population basis; and providing for the payment of said salary in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2428. To amend the title and Section 1 of Act No. 122, H. 117, Special Session 1969 (Acts 1969, p. 192) which provides additional compensation for the official court reporters in all circuit courts and provides for the payment thereof in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2429. To amend the title and Section 1 of Act No. 451, H. 995, Regular Session 1961 (Acts 1961, p. 492) which provides for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2430. To amend Section 12 of Act No. 412, S. 261, Regular Session 1945 (Acts 1945, p. 647) as last amended, which provides for the adoption, selection, purchase, and distribution of textbooks for the public schools of Alabama in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2431. To amend the title and Section 1 of Act No. 429, H. 934, regular Session 1961 (Acts 1961, P. 466) which authorizes the Governing body of the county to employ an administrative assistant, provides for the qualifications of said person, prescribes his duties and fixes his compensation in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2432. To amend the title and Section 1 of Act No. 1019, S. 604, Regular Session 1961 (Acts 1961, p. 1598) which provides for the appointment, duties, qualifications, term, compensation and assistant of the coroner in certain counties classified on a population basis.

By Messrs. Jones (F) and Harris:

H. 2433. To amend the title and Section 1 of Act No. 767, H. 1472, Regular Session 1961 (Acts 1961, p. 1107) which relates to the operation of boards of equalization in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2434. To amend the title and Section 1 of Act No. 146, H. 159, Special Session 1969 (Acts 1969, p. 210) which fixes an expense allowance of the County Commission in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2435. To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 180,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961 and October 20, 1969.

By Mr. Jones (F):

H. 2436. To amend the title and Section 1 of Act No. 203, H. 169, Special Session 1966 (Acts 1966, p. 230) which provides expense allowances for circuit court judges in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2437. To amend the title and Section 1 of Act No. 112, H. 165, Special Session 1966 (Acts 1966, p. 142) which provides that the county governing body in regulating and providing for the use of voting machines may divide any voting precinct into territories, designate each territory a voting center at which qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center, prescribe the duties of such election officers, and fix their compensation in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2438. To repeal Act No. 55, H. 155, approved September 30, 1965, 2nd Special Session 1965 (Acts 1965, p. 81), entitled "An Act to provide that the board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 160,000 nor more than 250,000 inhabitants according to the 1960 Federal Census or any subsequent regular decennial Federal Census pay to the Recorder of the Recorder's



Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Seven Hundred and NO/100 (2,700.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Eighteen Hundred and NO/100 (1,800.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury."

By Mr. Jones (F):

H. 2439. To amend the title and Section 1 of Act No. 380, H. 939, Regular Session 1957 (Acts 1957, p. 508) as last amended which authorizes the county commission to pay pensions to certain former employees of the county in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2440. To amend the title and Section 1 of Act No. 183, S. 181, Special Session 1966 (Acts 1966, p. 216) which fixes supplemental salaries and expense allowances of District Attorneys; to provide such supplemental salaries and expense allowances shall be paid from the General Fund in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2441. To amend the title and Section 1 of Act No. 30, S. 103 Special Session 1966 (Acts 1966, p. 53) which provides for the method of acknowledging full or partial satisfaction of any recorded mortgage or other lien in the records of the office of the Judge of Probate in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2442. To repeal Act No. 258, H. 202, approved September 7, 1964, Special Session 1964 (Acts 1964, p. 356), entitled, "An Act To designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding or any subsequent federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between August 1, 1961, and the date of the passage of this act."

By Mr. Jones (F):

H. 2443. To repeal Act No. 516, H. 1025, approved August 22, 1961, Regular Session 1961 (Acts 1961, p. 617), entitled, "An Act To provide that in each county of the State of Alabama having not less than 150,000 nor more than 300,000 population according to the last or any subsequent federal census in equity suits the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901

et seq.); to provide that in each such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such person to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provisions of this Act shall apply to future suits and pending suits in any such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict."

By Mr. Jones (F):

H. 2444. To repeal Act No. 1207, H. 1454, approved October 20, 1969, Regular Session 1969 (Acts 1969, p. 2248), entitled, "An Act To amend Act 258, approved September 7, 1964, to designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and for performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between September 7, 1964, and the date of the passage of this act."

By Mr. Jones (F):

H. 2445. To amend the title and Section 1 of Act No. 116, S. 195, Regular Session 1957 (Acts 1957, p. 164) which provides for the appointment of bailiffs for the circuit courts; and to regulate their compensation and provide for the payment thereof in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2446. To repeal Act No. 979, S. 396, approved September 9, 1961, Regular Session 1961 (Acts 1961, p. 1557), entitled, "An Act to provide for the proportion of contribution by counties and incorporated municipalities therein to the budget of a county health department in all counties in this State having a population exceeding 150,000 and not exceeding 300,000 inhabitants, according to the latest Federal Census, or which shall hereafter have such population, according to any such census that may hereafter be taken."

By Mr. Jones (F):

H. 2447. To amend the title and Section 1 of Act No. 204, H. 399, Special Session 1966 (Acts 1966, p. 203) which fixes expense allowances of probate judges in certain counties classified on a population basis.

By Mr. Jones (F):

H. 2448. To amend the title and Section 1 of Act No. 52, S. 50, Special Session 1967 (Acts 1967, p. 89) which provides for an ambulance service either on a contract basis or by the establishment and operation of a non-profit service in certain counties classified on a population basis.

By Mr. Wood:

H. 1972. To authorize any county having a population of not less than 300,000 nor more than 600,000, according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty-five (25) years, to provide office space or to pay the expenses of providing office space for a federal, state, county or municipal agency or certain public corporations.

By Mr. Edwards:

H. 1829. To amend the title and Section 1 of Act No. 237, S. 459, Regular Session 1967 (Acts 1967, p. 613), which provides for additional compensation for registrars in certain counties classified on a population basis.

By Mr. Edwards:

H. 1830. To amend the title and Section 1 of Act No. 417, H. 452, Special Session 1966 (Acts 1966, p. 562), which provides for compensation for members of the jury commission in certain counties classified on a population basis.

By Mr. Edwards:

H. 1831. To amend the title and Section 1 of Act No. 31, H. 3, First Special Session 1963 (Acts 1963, p. 102), which provides for regulation of municipal elections in certain cities classified on a population basis.

By Mr. Edwards:

H. 1832. To amend the title and Section 1 of Act No. 678, S. 879, Regular Session 1969 (Acts 1969, p. 1213), which provides for appropriation of funds for public buildings and furnishings in certain counties classified on a population basis.

By Mr. Edwards:

H. 1833. To amend the title and Section 1 of Act No. 106, S. 52, Second Special Session 1965 (Acts 1965, p. 144), which provides for the taking of fish from public streams in certain counties classified on a population basis.

By Mr. Edwards:

H. 1835. To amend the title and Section 1 of Act No. 79, S. 60, Special Session 1962 (Acts 1962, p. 101), which provides for the licensing of and regulating the operation of and hunting on privately owned hunting preserves in certain counties classified on a population basis.

By Mr. Stubbs (with notice and proof):

H. 2364. To transfer the duties of the probate judge in the matter of redeeming lands sold in Shelby County for taxes as provided by Article 5 Chapter 14, Title 51 Code of Alabama 1945 as amended, to the tax collector.

By Mr. Stubbs (with notice and proof):

H. 2365. To authorize the Clerk of the Law and Equity Court of Shelby County and any successor inferior court to remove and destroy certain court files after five years after final disposition of such cases and to excuse the Clerk of such court from making a final record in civil and criminal cases determined in such court.

By Mr. Headley:

H. 2512. To amend the title and Section 1 of Act No. 139, H. 136, Special Session 1962 (Acts 1962, p. 181), which fixes additional compensation and allowance of certain election officers in certain counties classified on a population basis.

By Mr. Headley:

H. 2513. To amend the title and Section 1 of Act No. 187, H. 242, First Special Session 1964 (Acts 1964, p. 253), which regulates the pay of members of the county board of equalization, and provides for the payment of additional compensation from the county treasury in certain counties classified on a population basis.

By Mr. Headley:

H. 2514. To amend the title and Section 1 of Act No. 186, H. 241, First Special Session 1964 (Acts 1964, p. 252), which regulates the pay of jurors in certain counties classified on a population basis.

By Mr. Headley:

H. 2515. To amend the title and Section 1 of Act No. 185, H. 240, First Special Session 1964 (Acts 1964, p. 252), which regulates further the compensation of the coroner and provides for a salary payable by the county in lieu of fees and allowances in certain counties classified on a population basis.

By Mr. Headley:

H. 2516. To amend the title and Section 1 of Act No. 712, H. 1214, Regular Session 1965 (Acts 1965, p. 1317), which provides expense allowances for members of the county board of equalization payable from the general funds of the county, gives the act retroactive effect, and repeals Act No 187, Acts of Alabama 1964, page 253, in certain counties classified on a population basis.

By Mr. Headley:

H. 2517. To amend the title and Section 1 of Act No. 711, H. 998, Regular Session 1967 (Acts 1967, p. 1549), which provides authority to regulate, collect, and dispose of trash on and along public roads and highways; license owners of containers to place same on right-of-ways and to set, levy and collect a privilege license tax on applicants for such licenses; with limitation on use of license as defense evidence in certain criminal actions in certain counties classified on a population basis.

By Mr. Headley:

H. 2518. To amend the title and Section 1 of Act No. 814, H. 1234, Regular Session 1961 (Acts 1961, p. 1190), as last amended, which provides an expense allowance to members of the county commission or like governing body in certain counties classified on a population basis.

By Mr. Headley:

H. 2519. To amend the title and Section 1 of Act No. 188, H. 243, First Special Session 1964 (Acts 1964, p. 253), which regulates the compensation of registrars and provides for payment of additional compensation in certain counties classified on a population basis.

By Mr. Headley:

H. 2520. To repeal Act No. 15, H. 11, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2615), entitled, "An Act Authorizing the county governing body of counties of not less than 25,600 population nor more than 25,700 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Walter Popwell to compensate for certain damages."

By Mr. Headley:

H. 2521. To repeal Act No. 582, H. 963, approved August 29, 1961, Regular Session 1961 (Acts 1961, p. 688), entitled, "An Act To provide for the appointment of an additional deputy and for the compensation of deputies of the sheriffs in all counties having populations of not less than 25,500 nor more than 25,700, according to the 1960 or any subsequent federal decennial census."

By Mr. Mathews:

H. 2530. To amend the title and Section 1 of Act No. 700, H. 750, Regular Session 1965 (Acts 1965, p. 1301), as last amended, which provides for the regulation of the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken in certain counties classified on a population basis.

By Mr. Mathews:

H. 2531. To amend the title and Section 1 of Act No. 285, H. 249, Regular Session 1965 (Acts 1965, p. 399), which provides for the payment of the expenses of the county or deputy solicitors in certain counties classified on a population basis.

By Mr. Mathews:

H. 2532. To amend the title and Section 1 of Act No. 771, H. 1476, Regular Session 1961 (Acts 1961, p. 1110), which provides for the expenses of the county superintendent of education in certain counties classified on a population basis.

By Mr. Mathews:

H. 2533. To amend the title and Section 1 of Act No. 387, H. 887, Regular Session 1963 (Acts 1963, p. 889), which provides for the payment of the ex officio fees of the clerks of the circuit court in certain counties classified on a population basis.

By Mr. Mathews:

H. 2534. To amend the title and Section 1 of Act No. 830, H. 1091, Regular Session 1969 (Acts 1969, p. 1518), which provides for fixing the compensation of the county solicitor in certain counties classified on a population basis.

By Mr. Mathews:

H. 2535. To amend the title and Section 1 of Act No. 770, H. 1475, Regular Session 1961 (Acts 1961, p. 1109), which provides for a clerk-hire allowance for the office of clerk of the circuit court in certain counties classified on a population basis.

By Mr. Mathews:

H. 2536. To amend the title and Section 1 of Act No. 107, H. 182, Regular Session 1967 (Acts 1967, p. 139), which provides for insurance of county officers and employees, and their dependents in certain counties classified on a population basis, giving the Act retroactive effect.

By Mr. Mathews:

H. 2537. To amend the title and Section 1 of Act No. 57, H. 221, Regular Session 1969 (Acts 1969, p. 351), which provides for the regulation of the salary of the county superintendent of education in certain counties classified on a population basis.

By Mr. Mathews:

H. 2538. To amend the title and Section 1 of Act No. 286, H. 250, Regular Session 1965 (Acts 1965, p. 399), as last amended, which regulates the compensation of members of the County Board of Education in certain counties classified on a population basis.

By Mr. Mathews:

H. 2560. To amend the title and Section 1 of Act No. 364, H. 729, Regular Session 1963 (Acts 1963, p. 864), which provides for compensation of jurors in certain counties classified on a population basis.

By Mr. Stubbs (with notice and proof):

H. 2579. To authorize the Shelby County governing body to provide protection against forest fires within the county and to assess the whole or a part of the cost thereof, within a prescribed limit, against forest lands in the county; and prescribing the procedure for levying and collecting such assessments.

By Mr. Stubbs:

H. 2581. Relating to all counties having a population of not less than 36,500 nor more than 39,200, according to the most recent federal decennial census; and providing for the payment by the county governing body of an expense allowance for the Tax Assessors, Tax Collectors, Circuit Clerks, Probate Judges, Coroners, and members of the county governing bodies; providing a limitation on amounts so paid; and providing further for such payments.

By Mr. Stubbs (with notice and proof):

H. 2582. Relating to Shelby County; and to become effective if and when the sale of alcoholic beverages has become lawful in Shelby County; levying a privilege license or excise tax upon sellers, distributors, wholesalers, or users of malt or brewed beverages, or spirituous liquors, within Shelby County where said sale of malt or brewed or spirituous liquors is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; providing penalties for violations.

By Mr. Stubbs:

H. 2583. To amend the title and Section 1 of Act No. 432, H. 949, Regular Session 1965 (Acts 1965, p. 633) relating to counties having populations of not less than 31,500 nor more than 33,500; regulating further the insuring of certain public buildings in such counties, together with the equipment, furniture, fixtures, and other property in such buildings.

By Mr. Stubbs:

H. 2584. To amend the title and Section 1 of Act No. 261, H. 212, Regular Session 1961 (Acts 1961, Vol. 1, p. 283).

To fix the compensation of the members, other than the chairman, of the court of county commissioners, board of revenue, or like governing body, of all counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent decennial census of the United States; and to provide for the manner of payment of such compensation.

By Mr. Stubbs:

H. 2585. To amend the title and Section 1 of Act No. 570, S. 215, Regular Session 1969 (Acts 1969, Vol. II, p. 1056) relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

By Mr. Stubbs:

H. 2586. To amend the title and Section 1 of Act No. 139, H. 282, Special Session 1966 (Acts 1966, p. 170) to regulate the compensation and allowances of coroners in counties having populations of not less than 32,000 nor more than 33,000 and repeal conflicting laws.

By Mr. Stubbs:

H. 2587. To amend the title and Section 1 of Act No. 181, H. 227, Special Session 1964 (Acts 1964, p. 249) to apply in counties having populations of not less than 31,500 nor more than 33,500, regulating the pay of jurors.

By Mr. Stubbs:

H. 2588. To amend the title and Section 1 of Act No. 354, H. 877, Regular Session 1965 (Acts 1965, p. 490) to apply only in counties having populations of not less than 32,000 nor more than 33,000; providing expense allowances for members of the board of revenue or other like governing body of the county.

By Mr. Stubbs:

H. 2589. To amend the title and Section 1 of Act No. 275, H. 211, Special Session 1961 (Acts 1961, Vol. II, p. 2315) relating to court costs in all counties having populations of not less than 31,500 nor more than 33,500, according to the last or any subsequent federal decennial census.

By Mr. Stubbs:

H. 2590. To amend the title and Section 1 of Act No. 1221, H. 1493, Regular Session 1969 (Acts 1969, p. 2294) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; providing for the payment by the county of expense allowances for the members of the board of registrars in such counties.

By Mr. Stubbs:

H. 2591. To amend the title and Section 1 of Act No. 1222, H. 1494, Regular Session 1969 (Acts 1969, p. 2295, Vol. III) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing

for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

By Mr. Stubbs:

H. 2592. To amend the title and Section 1 of Act No. 263, H. 216, Regular Session 1961 (Acts 1961, p. 284) to regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent decennial census of the population of the United States.

By Mr. Stubbs:

H. 2593. To amend the title and Section 1 of Act No. 1223, H. 1495, Regular Session 1969 (Acts 1969, p. 2295, Vol. III) relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the clerk and each member of the jury commission in such counties.

By Mr. Stubbs:

H. 2594. To amend the title and Section 2 of Act No. 262, H. 214, Regular Session 1961 (Acts 1961, p. 283) an act to provide further for the economic development of counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent federal decennial census, and the economic development of municipalities within such counties; providing for the creation of a development board in each county to which this Act applies; providing for the organization, powers, functions, duties, and personnel of such board; and providing for the payment of the expenses and for the compensation of the personnel of such board.

By Mr. Stubbs:

H. 2595. To repeal Act No. 264, H. 217, approved August 7, 1961, Regular Session 1961 (Acts 1961, p. 284), entitled, "An Act relating to counties having populations of not less than 32,000 nor more than 33,000 inhabitants according to the 1960 or any subsequent decennial census of the United States; Authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire."

By Mr. Stubbs:

H. 2596. To repeal Act No. 266, H. 219, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 285), entitled, "An Act relating to counties having a population of not less than 32,000 nor more than 33,000, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire."

By Mr. Stubbs:

H. 2597. To repeal Act No. 28, H. 54, approved June 28, 1962, Special Session 1962 (Acts 1962, p. 39), entitled, "An Act to authorize the appointment of additional deputies sheriff in counties having populations of not less than 32,000 nor more than 33,000 inhabitants; to provide for their compensation; to provide for retroactive effect of the provisions of this act; to validate the appointment of deputies sheriff which may have been heretofore made, the payment to them of compensation, and the acts of such appointees which may have been required in performance of their official duties."



By Mr. Stubbs:

H. 2598. To repeal Act No. 182, H. 228, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 250), entitled, "An Act to apply in counties having populations of not less than 31,500 nor more than 33,500, regulating further the compensation of registrars and providing for the payment of additional compensation by the county."

By Mr. Stubbs:

H. 2599. To repeal Act No. 195, H. 255, approved August 28, 1964, Special Session 1964 (Acts 1964, p. 259), entitled, "An Act relating to all counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing a monthly allowance for certain employees in the office of the sheriff."

By Mr. Stubbs:

H. 2600. To repeal Act No. 133, H. 139, approved March 29, 1965, Special Session 1965 (Acts 1965, p. 185), entitled, "An Act relating to counties having populations of not less than 32,000 nor more than 33,000; providing for the appointment of additional deputies sheriff whose compensation shall be paid by the county."

By Mr. Stubbs:

H. 2601. To repeal Act No. 101, H. 229, approved September 30, 1965, Second Special Session 1965 (Acts 1965, p. 133), entitled, "An Act to apply only in counties having populations of not less than 31,500 nor more than 33,500; regulating the number and compensation of deputy sheriffs in such counties."

By Mr. Stubbs:

H. 2602. To repeal Act No. 112, H. 287, approved July 31, 1967, Regular Session 1967 (Acts 1967, p. 450), entitled, "An Act to apply only in counties having populations of not less than 32,000 nor more than 33,000 according to the most recent federal decennial census; providing for the times of closing of county offices."

By Mr. Stubbs:

H. 2603. To repeal Act No. 398, H. 403, approved September 12, 1966, Special Session 1966 (Acts 1966, p. 536), entitled, "An Act relating to all counties having populations of not less than 31,500 nor more than 33,500 according to the most recent federal decennial census; further regulating the taking of fish from public streams and impounded waters; providing exceptions and authorizing the use of wire baskets in the taking of non-game fish."

By Mr. Stubbs:

H. 2604. To repeal Act No. 623, H. 1210, approved August 26, 1965, Regular Session 1965 (Acts 1965, p. 1136), entitled, "An Act to apply only in counties having populations of not less than 32,000 nor more than 33,500; providing expense allowance for members of the county board of equalization payable from the general funds of the county; giving the act retroactive effect and repealing Act No. 215, Acts of Alabama 1964, page 297, First Special Session."

By Mr. Stubbs:

H. 2605. To repeal Act No. 265, H. 218, approved August 7, 1961 Regular Session 1961 (Acts 1961, Vol. I, p. 285), entitled "An Act to authorize the payment from the county treasury of an expense allow-

ance to the coroner in counties having a population of not less than 32,000 nor more than 33,000 inhabitants, according to the last or any subsequent federal decennial census."

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Headley (with notice and proof) (with substitute):

H. 2231. Relating to certain offices and officers of Chilton County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (K) (with notice and proof):

H. 839. Relating to Tallapoosa County making it unlawful to use an electrical device or certain other devices or instruments to take, catch, stun or kill any game or non-game fish; prescribing penalties therefor and making the possession of any such device prima facie evidence that it is being used for illegal purposes.

By Mr. O'Daniel:

H. 1007. To amend Section 1 of Act No. 81, H. 76, Special Session 1967 (Acts 1967, p. 114), which authorizes the district attorney of the nineteenth judicial circuit to appoint a secretary and provide for compensation thereof.

By Mr. Smith (K) (with notice and proof):

H. 1229. To amend the title and Sections 1 and 2 of Act No. 927, H. 895, Regular Session 1961 (Acts 1961, p. 1486), which act provides further for the compensation and allowances of jurors and bailiffs in certain counties classified on a population basis.

By Mr. O'Daniel (with notice and proof):

H. 1732. To amend further Section 1, Act No. 47, H. 100, Special Session 1962, as amended by Section 1, Act 441, S. 192 Special Session, 1966, an Act fixing the compensation of certain officers of Elmore County, Alabama.

By Mr. O'Daniel (with notice and proof):

H. 1733. To regulate further the fees for recording documents affecting the title to real property in Elmore County; and providing for the disposition of said fees.

By Mr. O'Daniel (with notice and proof):

H. 1734. Relating to Elmore County; to provide for an additional fee to be charged by the judge of probate of such county for his services in redemption of land sold for taxes; and providing for the disposition of such additional fee.

By Mr. O'Daniel (with notice and proof):

H. 1735. To further regulate the fee for recording change of ownership of a motor vehicle in Elmore County; providing for the disposition of such fees.

By Mr. O'Daniel (with notice and proof):

H. 1737. Relating to Elmore County: abolishing the Elmore County Court and establishing in lieu thereof a court of record to be known as the Law & Juvenile Court defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallasse Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Court to the Law & Juvenile Court.

By Mr. O'Daniel (with notice and proof):

H. 1739. To amend further Section 1, Act No. 47, H. 100, Special Session, 1962, as amended by Section 1, Act 441, S. 192 Special Session, 1966, an Act fixing the compensation of certain officers of Elmore County, Alabama.

By Messrs. Carnes and Wynot:

H. 1836. Relating to Counties having populations of not less than 90,000 nor more than 100,000; to provide for Minute Entries in Misdemeanor cases appealed from County Court, a City Recorder's Court, Mayor's Court, Police Court, a Municipal Court, or any Inferior Court, to the Circuit Courts or any other Courts of Record in such counties.

By Mr. O'Daniel:

H. 1963. Relating to counties having a population of not less than 30,000 nor more than 33,575, according to the most recent federal decennial census; to provide for the annual salary of jury commissioners of such counties to be \$800.00 per year.

By Mr. O'Daniel:

H. 1964. Relating to counties having a population of not less than 30,000 nor more than 33,575 according to the most recent federal decennial census; to provide for jurors pay in such counties to be \$15.00 per day.

By Mr. Smith (K):

H. 1968. Relating to counties having a population of not less than 33,550 nor more than 34,000 according to the most recent federal decennial census; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

By Messrs. Flippo and Hill (with notice and proof):

H. 1998. To authorize and provide for branch banks in Lauderdale County, and to repeal conflicting laws.

By Messrs. Flippo and Hill (with notice and proof):

H. 1999. Relating to Lauderdale County, authorizing the county commission of such county to set aside, appropriate, use and expend

county funds or revenues for the purpose of providing contributions to non-profit Community Action Committees, boards and groups heretofore formed in such counties under the Economic Opportunity Act of 1964, Public Law 88-452, 88th Congress, S. 2642 and approved by the Office of Economic Opportunity.

By Messrs. Flippo and Hill (with notice and proof):

H. 2000. To authorize the county commission in Lauderdale County to regulate the planning and construction of all public streets, public roads, and drainage structures located or to be located in subdivisions of land situated outside the corporate limits of any municipality in the county.

By Messrs. Hill and Flippo (with notice and proof):

H. 2001. Providing for the substitution by city boards of education in Lauderdale County for use in the city schools of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

By Messrs. Flippo and Hill (with notice and proof):

H. 2002. Relating to Lauderdale County; providing for the substitution of other books or texts for the textbooks on the list of state-approved or state-adopted textbooks.

By Messrs. Flippo and Hill (with notice and proof):

H. 2003. Relating to the city of Florence; providing an expense allowance for members of the governing body of such cities.

By Messrs. Hill and Flippo (with notice and proof):

H. 2004. Relating to Lauderdale County; authorizing the district attorney of said county to appoint a stenographic secretary, and to provide for the payment of said secretary's compensation from the general funds of the county.

By Messrs. Hill and Flippo (with notice and proof):

H. 2005. To authorize the county commission of Lauderdale County to prescribe the times when county offices may be closed.

By Messrs. Hill and Flippo (with notice and proof):

H. 2006. Relating to Lauderdale County; regulating and prescribing the qualifications of persons engaged in the bail bond business in such counties, repealing conflicting laws.

By Messrs. Hill and Flippo (with notice and proof):

H. 2007. Relating to Lauderdale County, to authorize the county commission in such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify to receive federal assistance under the federal Economic Opportunity Act of 1964.

By Messrs. Hill and Flippo (with notice and proof):

H. 2008. To provide for an appeal from any decision of a Civil Service Board in the city of Florence.

By Messrs. Hill and Flippo:

H. 2009. To provide for a clerk hire allowance for a secretary for any judge of a county court operating within the Eleventh Judicial Circuit.

By Messrs. Flippo and Hill (with notice and proof):

H. 2010. To regulate the compensation of jurors in Lauderdale County.

By Messrs. Stokes, Callahan, Nettles and Roberts (with notice and proof):

H. 2057. Relating to the Court of General Sessions of Mobile County; further providing for its jurisdiction, salaries of judges, powers, duties, costs and rules of procedure; repealing Section 22 and amending Sections 3, 8, 10, 11, 20, 21 and 23 of Act No. 40, S. 4, Second Special Session of 1956 (Acts 1956, p. 328), as amended.

By Mr. Turnham:

H. 2131. For the purpose of enforcing the laws relative to children; to define further a delinquent child in all counties having populations of not less than 60,000 nor more than 65,000.

By Mr. Casey:

H. 2202. To provide each county commissioner and the chairman of each county commission in counties having populations of not less than 17,000 nor more than 20,000 an expense allowance, such allowance to be payable out of the general fund of the county.

By Messrs. Therrell, Downing, Stokes, Collins, Callahan, Nettles, Wood and Perloff:

H. 2208. To provide that residency within a municipality shall not be a pre-requisite to employment by municipalities having populations of not less than 40,000 nor more than 45,000.

By Messrs. Wynot, Waldrop and Carnes:

H. 2248. Relating to the meetings of Boards of Registrars in Counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; and providing further for the acceptance of applications for registration in such counties.

By Messrs. Hill and Flippo:

H. 2263. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent or any subsequent federal decennial census, to create a Civil Service Board in said counties to assure the more efficient operation of the Sheriff's Department; to provide for the composition, powers, duties, and compensation for such boards; and to establish certain employee management policies for the Sheriff's Department in said counties.

By Mr. O'Daniel:

H. 2282. To create the office of Supernumerary Probate Judge in any county having a population of not less than 30,000 nor more than 33,575 according to the most recent federal decennial census; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any Supernumerary Probate Judge.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on

the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Snell (with substitute):

H. 2308. Relating to counties having a population of not less than 35,000 nor more than 38,000 according to the last federal decennial census; abolishing the Court of County Commission of such counties, and creating in lieu thereof a County Commission; dividing such counties into Commissioner's Districts; providing for the election, term and qualifications of the commissioners; and relieving the probate judge of all duties with respect to the county governing body.

Mr. Harris, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Casey:

H. 2311. To provide that the county commission shall set the salary of deputy sheriffs at an amount not to exceed \$700 per month in counties having a population of not less than 17,000 nor more than 20,000 according to the most recent federal decennial census.

By Messrs. Hill and Flippo:

H. 2370. Relating to counties having populations of not less than 65,500 nor more than 75,200; prohibiting any municipality or agency thereof from requiring that facilities for the use of utility services be installed by persons licensed by the municipality.

By Messrs. Hill and Flippo:

H. 2371. Relating to counties having populations of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; to prescribe the fee which may be charged by the Judge of Probate for celebrating the rites of matrimony and authorizing him to retain such fee for his personal use.

By Messrs. Hill and Flippo:

H. 2372. Relating to counties having populations of not less than 65,500 nor more than 75,200; to authorize the circuit clerk to keep for his personal use any and all passport fees, in addition to any other compensation; to apply retroactively to January 1, 1971.

By Messrs. Flippo and Hill:

H. 2373. Relating to counties having populations of not less than 65,500 nor more than 75,200; to provide for the county commission of such counties to grant exclusive franchises to private haulers of solid waste.

By Messrs. Hill and Flippo:

H. 2374. To establish "Municipal Courts" for all cities having populations of not less than 33,500 nor more than 36,500, which shall be subject to Chapter 12, Title 37, Code of Alabama 1940, (recompiled 1958), as last amended, except that no fine in excess of \$500.00 shall be assessed, and to abolish other courts of such cities exercising the functions conferred upon said Municipal Courts.

By Messrs. Flippo and Hill:

H. 2375. To prohibit cities, or any agencies thereof, having populations of not less than 33,500 nor more than 36,500 from collecting outside the corporate limits of said cities any permit fees, inspection fees or other fees with respect to the enforcement of any building code provision; to provide that building code provisions may be enforced within the police jurisdiction of said cities, but to limit the collection of all fees and charges therefore to the area within the corporate limits of the cities.

By Messrs. Hill and Flippo:

H. 2376. Relating to counties having populations of not less than 65,500 nor more than 75,200 which have abolished their County Inferior Court and established in lieu thereof a Statutory County Court, by providing further for the manner of taking appeals from judgments of said county court to the circuit court.

By Mr. Smith (P) (with notice and proof):

H. 1045. To authorize the coroner of Talladega County to appoint a deputy coroner and to provide for the powers, duties, salary and expenses of such deputy.

By Messrs. Warren and Mims (with notice and proof):

H. 1838. To provide further for hospital service for the indigent in Conecuh County; to authorize the hospital board to provide matching funds for said service and to relieve the county governing body of certain duties.

By Messrs. Warren and Mims (with notice and proof):

H. 1839. To provide the tax assessor of Conecuh County an allowance for clerical assistance, such allowance to be payable out of the general funds of the county.

By Messrs. Warren and Mims (with notice and proof):

H. 1840. To provide clerical assistants for the office of the judge of probate of Conecuh County, and to provide a clerk hire allowance for the judge of probate, payable out of the general funds of the county.

By Messrs. Warren and Mims (with notice and proof):

H. 1841. To provide further for the compensation of the county or deputy solicitor of Conecuh County.

By Messrs. Warren and Mims (with notice and proof):

H. 1842. To provide an additional clerical allowance to the circuit clerk of Conecuh County, such allowance to be payable out of the general funds of the county.

By Messrs. Warren and Mims (with notice and proof):

H. 1843. To provide an expense allowance for members and the chairman of the Conecuh County Commission or other like governing body of Conecuh County.

By Messrs. Wise and Jackson (with notice and proof):

H. 1900. To provide for the selection of the Superintendent of Education of Geneva County, prescribing his qualifications, providing for his term of office, salary and powers and duties, and further providing for the filling of vacancies in the office.

By Mr. Casey (with notice and proof):

H. 1930. Relating to the organization, jurisdiction and functions of certain courts of Cleburne County; establishing the Cleburne County Intermediate Court, defining and limiting its jurisdiction and powers; providing for its officers, their election, terms, powers, duties and compensation; providing for costs and fees to be deposited in the general fund of the county; and providing for appeals from the court herein established.

By Messrs. Wise and Jackson:

H. 1965. To provide for the seizure and confiscation of property used in illegal night hunting of deer in counties having a population of not less than 21,000 nor more than 22,000.

By Mr. McCorquodale:

H. 1982. To amend the title and Section 1 of Act No. 156, S. 145, Regular Session 1965 (Acts 1965, p. 226), which Act provides for the employment of a secretarial assistant by the County Solicitor in certain counties classified on a population basis.

By Mr. Easters:

H. 2034. Relating to counties having a population of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; entitling the coroner to a scale of fees.

By Mr. Brassell (with notice and proof):

H. 2128. To amend further Act No. 13, H. 118, of the Regular Session of 1947 (Local Acts 1947, p. 7) which establishes for the municipality of Phenix City a pension and relief system for the benefit of firemen and policemen, so as to regulate further membership in and creditable service for and retirement under such system; further regulating benefits payable under such system and the investment of monies in the Fireman's and Policeman's Pension and Relief Fund; and for such purposes amending Sections 4, 16, and 26 and further amending Sections 9 and 15, as amended.

By Mr. Brassell:

H. 2129. Relating to all counties having populations of not less than 42,000 nor more than 49,500 according to the most recent federal decennial census; to set a fee for the issuance of pistol permits, and to provide for the collection and disposition of said fees.

By Messrs. Crawford and Connell:

H. 2252. Relating to counties having a population of not less than 13,200 nor more than 13,400 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

By Messrs. Wise and Jackson:

H. 2505. To repeal Act No. 732, H. 1263, approved September 1, 1965, Regular Session 1965 (Acts 1965, p. 1340), entitled, "An Act relating to counties having a population of not less than 22,000 nor more than 22,350 according to the most recent federal decennial census; to authorize the county governing body in any such county to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964."



By Messrs. Wise and Jackson:

H. 2506. To amend the title and Section 1 of Act No. 646, S. 599, Regular Session 1965 (Acts 1965, p. 1167) which authorizes the county governing body to appropriate and use certain county funds and to designate and use certain county property, buildings, and facilities in order to qualify for and receive federal assistance under the federal Economic Opportunity Act of 1964 in certain counties classified on a population basis.

By Mr. Mathews:

H. 2524. To amend the title and Section 1 of Act No. 101, H. 219, Regular Session 1969 (Acts 1969, p. 383) which confers additional powers on the circuit clerk in certain counties classified on a population basis.

By Mr. Mathews:

H. 2525. To amend the title and Section 1 of Act No. 336, H. 292, Special Session 1966 (Acts 1966, p. 480) which prescribes the times when county offices may be closed in certain counties classified on a population basis.

By Mr. Mathews:

H. 2526. To amend the title and Section 1 of Act No. 366, H. 767, Regular Session 1961 (Acts 1961, p. 385) which authorizes the county commission to designate one or more state or national banks as the county depository in certain counties classified on a population basis.

By Mr. Mathews:

H. 2527. To amend the title and Section 1 of Act No. 327, S. 193, Special Session 1966 (Acts 1966, p. 461) which regulates the compensation of election officials in certain counties classified on a population basis.

By Mr. Mathews:

H. 2528. To amend the title and Section 1 of Act No. 69, H. 195, Regular Session 1967 (Acts 1967, p. 402) which authorizes the county board of education to fix expense allowances for members of the board in certain counties classified on a population basis.

By Mr. Mathews:

H. 2529. To amend the title and Section 1 of Act No. 362, H. 721, Regular Session 1963 (Acts 1963, p. 862) as amended which fixes the expense allowance of the county superintendent of education in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2320. To amend the title and Section 1 of Act No. 231, H. 513, Regular Session 1961 (Acts 1961, p. 263), as amended, which authorizes county governing bodies to provide for payment of expenses of certain county officers, in certain counties on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2321. To amend the title and Section 1 of Act No. 54, H. 10, Regular Session 1967 (Acts 1967, p. 381), which authorizes the county commission to provide an additional clerk-hire allowance to the circuit clerk in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2322. To amend the title and Section 1 of Act No. 185, H. 368, Regular Session 1961 (Acts 1961, p. 227), which provides for and authorizes clerk hire allowances for certain officials in certain counties on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2323. To amend the title and Section 1 of Act No. 189, H. 245, Special Session 1964 (Acts 1964, p. 254), which provides for the appointment of deputy sheriffs and fixes their salaries in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2324. To amend the title and Section 1 of Act No. 154, H. 746, Regular Session 1965 (Acts 1965, p. 218), as last amended, which creates the office of commissioner of licenses, prescribes the powers, duties, and authority of such office, fixes the salary, furnishes quarters, supplies and assistants, and provides for the appointment of such commissioner, transfers certain of the duties of the probate judge relating to licenses to such officer, certain of the duties of the tax assessor and tax collector, and all of the duties of the license inspector in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2325. To amend the title and Section 1 of Act No. 23, H. 7, First Special Session 1963 (Acts 1963, p. 107), which authorizes, provides for the licensing of, and regulates the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds, prescribes the fees for such licenses, provides for their collection and distribution, and prescribes penalties for violation of said Act, in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2326. To amend the title and Section 1 of Act No. 826, S. 405, Regular Session 1965 (Acts 1965, p. 1548), which relates to admissibility of evidence in civil actions in the courts of certain counties classified on a population basis, requires copies to be furnished of written statements taken with respect to accidents about which civil actions may be filed to the person making such statements, and prescribes the effect of failure to furnish such copies as are required in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2327. To amend the title of Act No. 283, H. 981, Regular Session 1969 (Acts 1969, p. 619), which validates certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts 1953, p. 472), and which amends said Act No. 404 so as to provide further for notice required of the election of the first council after a city elects this form of government, and provides for holding and conducting the elections of the first and subsequent city council in certain cities classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2328. To amend the title and Section 1 of Act No. 806, H. 1267, Regular Session 1965 (Acts 1965, p. 1507), which provides for the introduction of hospital records from any hospital organized and operated under state laws as evidence in any court in Alabama, provides for the certifying of said records, enumerates such matters as shall

affect the weight of said evidence in the courts, provides for the cost and taxing thereof for such copy and for the filing of said copy, and provides for subpoena duces tecum thereof in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2329. To amend the title and Section 1 of Act No. 487, H. 699, Regular Session 1967 (Acts 1967, p. 1182), which provides an expense allowance for the district attorney of the circuit court; fixes the expiration date of such expense allowance in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2330. To amend the title and Section 1.01 of Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472), as last amended, which permits the adoption of the council-manager form of municipal government, provides for the calling and holding of elections to vote thereon, provides for the election, terms of office, qualification numbers, powers, and authority of the council, mayor, and the city clerk, provides for the appointment and removal and defines the powers of the city manager, defines the legal status, form of government and powers of the city, provides for an annual budget, creates and defines the powers and duties of a department of finance and the director thereof, regulates purchases and contracts of the city, to set up terms and effects of succession in government in said city, provides for the establishment of wards, and provides for the means of abandoning the council manager form of government in certain cities classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2331. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2332. To amend the title and Section 1 of Act No. 99, S. 34, Second Special Session 1963 (Acts 1963, p. 278), which regulates further the method of summoning jurors in certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2401. To amend the title and Sections 1, 3, and 4 and to repeal Section 2 of Act No. 135, H. 117, Special Session 1967 (Acts 1967, p. 185), which provides for the appointment, equipment, training and compensation of deputies, aides and assistants of the sheriff of certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2402. To amend the title and Section 1 of Act No. 692, H. 954, Regular Session 1967 (Acts 1967, p. 1518), which provides an additional expense allowance for the sheriff of certain counties classified on a population basis.

By Messrs. Merrill, Stewart and Burgess:

H. 2403. To amend the title and Sections 1, 3 and 4(b), of Act No. 382, H. 880, Regular Session 1963 (Acts 1963, p. 884), as last

amended, which provides for the reidentification of all registered voters; directs the Board of Registrars to purge the list of registered voters, and provides a penalty for willfully making a false statement in connection with reidentification in certain counties classified on a population basis.

By Mr. Lybrand (with notice and proof):

S. 1213. To create and establish a court of record with county wide limited jurisdiction of criminal cases and civil actions at law, to be called the County Court of Calhoun County, in lieu of, and to replace the Intermediate Civil Court of Calhoun County; to abolish the Intermediate Civil Court of Calhoun County; to provide for the jurisdiction of said County Court of Calhoun County and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished court and in the Calhoun County Court to the newly established court, and to repeal Act No. 23, H. 8, 1962 Special Session (Acts 1962, p. 29) and all other conflicting laws.

By Mr. Lybrand (with notice and proof):

S. 1214. To fix the salaries of the judge and the clerk of the Calhoun County Court.

By Mr. Lybrand (with notice and proof):

S. 1230. To alter, rearrange and extend the boundaries and corporate limits of the City of Weaver, Calhoun County, Alabama, so as to annex certain territory to the City.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lutz, et al:

H. 1078. To regulate the rate of assessing property for taxation; repealing conflicting laws.

By Mr. Williams:

H. 1150. To provide a full time Deputy District Attorney for the District Attorney of the Ninth Judicial Circuit of Alabama and to fix his duties and salary.

By Messrs. Hearn, Lutz, King, Hale and Grainger (with notice and proof):

H. 1220. To create an additional position of assistant district attorney for the Twenty-third Judicial Circuit of Alabama to be assigned to prosecute cases returnable to the Family Court Division of the Circuit Court.

By Mr. McCorquodale:

H. 2141. To amend Section 2 of Act No. 194 (H. 324), Acts of Alabama Regular Session 1935 entitled "An Act To Provide For The General Revenue Of The State Of Alabama", as amended, which is codified in Code of Alabama 1940, Title 51, Section 2, as amended, to provide for exemption from ad valorem taxation of farming tools and farm implements; exempting from ad valorem taxation all personal property (other than motor vehicles, trailers, and semi-trailers) not

used in a trade or business or for the production of income; exempting from ad valorem taxation stocks of goods, wares and merchandise to the value of thirty thousand dollars; providing for severability of the provisions in the Act should any part be declared invalid or unconstitutional; and providing for an effective date.

By Mr. McCorquodale, et al:

H. 2081. To amend Code of Alabama 1940, Title 51, Section 15, in relation to the exemption of homesteads from ad valorem taxes.

By Mr. Weaver:

S. 1229. To transfer the appropriation made by Section 8 (a) (vii) of Act No. 94, H. 47 of the Special Session of 1971, to the Alabama Institute for the Deaf and Blind, Talladega, Alabama, for acquisition and construction of an eye, ear, nose and throat clinic, to the State Department of Education, Division of Rehabilitation and Crippled Children to be used by such division for the acquisition, construction and equipping of such clinic.

Mr. Wilson, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mathews, et al (with substitute) (with amendments):

H. 1801. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cauthen and Slate:

H. 2346. To repeal Act No. 926, H. 1335 approved September 12, 1969, an Act relating to the Sanitary Barber Law and barber commission in certain counties on a population basis (Acts of Alabama Special and Regular Sessions 1969 vol. II, p. 1665).

Also:

By Messrs. Cauthen and Slate:

H. 2347. To repeal Act No. 370, S. 421 approved August 10, 1965, an act relating to the salary and allowance of members of governing body in counties having populations of not less than 65,000 nor more than 95,000 (Acts of Alabama 1965 Vol. I, p. 504).

Also:

By Messrs. Cauthen and Siate:

H. 2349. To repeal Act No. 1020, S. 871 approved September 12, 1969, an Act relating to the county governing body having authorization to provide payment of certain expenses incurred by the sheriff and members of the county governing body in certain counties on a population basis (Acts of Alabama Special and Regular Sessions 1969 vol. III, p. 1900).

Also:

By Messrs. Connell and Crawford:

H. 2460. Relating to counties having populations of not less than 56,500 nor more than 59,000; providing for the purchase of vehicles for the Sheriff's Department of said county; the upkeep, repair, and purchase of equipment for said vehicles; the purchase of uniforms for Sheriff's deputies, and expenses incurred in transporting prisoners and mental patients out of said counties from the Public Highway and Traffic Fund in said counties at the discretion of the County Commission.

Also:

By Messrs. Connell and Crawford:

H. 2461. Authorizing the county governing body of counties of not less than 56,500 population nor more than 59,000 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Leslie and/or Jo Ann Trawick to compensate for certain damages.

Also:

By Messrs. Connell and Crawford:

H. 2462. To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for the control and disposition of abandoned automobiles in Houston County in the State of Alabama; to require the licensing of automobile junk yards; to set the license fee and the depositing of such funds; to authorize the county and the municipal governing bodies to promulgate rules and regulations and to adopt ordinances relating to the disposition of abandoned automobiles and the operation of automobile junk yards.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall be known and may be cited as the "Houston County Abandoned Automobile Act."

Section 2. Definitions The following words and terms used in this Act shall have the meaning ascribed to them in this section:

(a) "Automobile" means any motorized vehicle designed and intended for use as transportation on public roads and highways.

(b) "Inoperable Automobile" means an automobile that cannot be started and operated without assistance from another source of energy.

(c) "Abandoned Automobile" means: (1) An automobile left unattended on any public property or public right of way for a period of

seven (7) or more days; (2) an automobile in an inoperable condition on either public or private property and which is delinquent in registration in excess of ninety (90) days; (3) an automobile left unattended on either public or private property whose ownership of the automobile cannot be established within a period of seven (7) days after a reasonable search for such ownership by the Sheriff or the Chief of Police.

(d) "Owner" means the person in whose name the last registration papers for the automobile was issued; when a lien against the automobile is on record in the Houston County probate office which lien has not been paid then the ownership shall consist jointly of the person in whose name the last registration papers were issued and the person, firm or corporation in whose favor the lien was executed.

(e) "Junk Yard" means an area under the same ownership or management on which two (2) or more inoperable automobiles are parked for thirty (30) days or more.

(f) "Public property" means any tract or parcel of land owned, leased, rented by or otherwise under the control of any governmental agency.

(g) "Holding lot" means an area (or areas) designated by the governing body of a political subdivision for the purpose of storing abandoned automobiles (or apparently abandoned automobiles) pending reclamation of the owner (or owners); such areas may be operated by the governing body of the political subdivision or may be designated by agreement with private agencies.

(h) "Political subdivision" means an incorporated municipality whose governing body has adopted ordinances and/or rules and regulations as provided in this Act; when the municipal governing body has not adopted such ordinances and/or rules and regulations this term shall mean Houston County.

Section 3. It shall be unlawful and shall constitute a misdemeanor to operate an automobile junk yard in Houston County without first obtaining a license from the county judge of probate, or the office of Commissioner of Licenses. Prior to issuing such license the judge of probate, or the Commissioner of Licenses will require a certificate in writing from the county Board of Health acting through its duly authorized representative to the effect that such junk yard does not constitute a hazard to the health of the public. The fee for this license shall be \$25.00 annually, and the money is to be deposited in the General Fund of Houston County. This license is transferable.

Section 4. The governing bodies of the respective political subdivisions are hereby authorized and empowered to establish ordinances and/or rules and regulations deemed to be in the public interest within the framework of this Act.

Section 5. The governing body of the respective political subdivisions may designate the law enforcement agency to be held responsible for the enforcement of this act; in the event no such law enforcement agency is designated under this section it shall be the joint responsibility of the sheriff and the County Board of Health acting through its duly authorized representative.

Section 6. When an automobile has been identified as an abandoned automobile or is suspected of being an abandoned automobile the law enforcement agency (or agencies) designated in Section 5 shall cause to be affixed to the automobile in a conspicuous place a weather-

proof tag notifying the owner thereof that he is required to report to the office of the sheriff in writing within seven (7) days indicating that he is the owner of the automobile and that he intends to make further use of the automobile or that he will dispose of the automobile within a period of ninety (90) days; if the owner (or owners) of said automobile fail to make such report within the designated time and in the designated manner the governing body of the political subdivision is hereby authorized to remove, or cause to have removed, the automobile to a holding lot and the cost of such removal shall constitute a lien against said automobile; the governing body responsible for removal of the automobile (or automobiles) is required to post in a conspicuous place at the county courthouse or the city hall, as the case may be, a notice identifying the automobile and requiring the owner (or owners) thereof to claim the automobile and to pay the lien for its removal to the holding lot within thirty (30) days and that failure to comply with the notice within the designated time and in the designated manner will forfeit all of his rights of ownership of the automobile; if the owner (or owners) of the automobile (or automobiles) forfeits his rights of ownership under this section the governing body of the political subdivision is absolved of liability for any subsequent claim by the owner (or owners) and is authorized to dispose of the automobile in such manner as appears to be in the interest of the population of the political subdivision.

Section 7. It shall be unlawful and constitutes a misdemeanor for any person, firm or corporation to accumulate or to permit the accumulation of inoperable or abandoned automobiles on property under their legal control or upon public property in any manner that is not in compliance with this Act.

Section 8. The provisions of this Act are hereby declared to be severable.

Should any section or provisions of this Act be held invalid or unenforceable by a court of competent jurisdiction said holding shall not invalidate or render unenforceable the remaining sections or provisions hereof.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 18, July 25, Aug 1, and Aug. 8, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me Aug 16, 1971.

EUGENE S. McCLINTIC,  
Notary Public.



Also:

By Messrs. Connell and Crawford:

H. 2463. To apply to Houston County, relating to authority of said County to borrow additional money not to be used for any other purpose than that for which the general funds of the County may now be used; not to total more than \$50,000.00, with interest not to exceed 7% per annum; not to exceed one year in duration and not to mature later than February 1st of the year following that in which the loan is made.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To apply to Houston County, relating to authority of said County to borrow additional money not to be used for any other purpose than that for which the general funds of the County may now be used; not to total more than \$50,000.00 with interest not to exceed 7 per cent per annum; not to exceed one year in duration and not to mature later than February 1st of the year following that in which the later is made.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to that allowed in Title 12, Section 125, Code of Alabama, recompiled in 1958 as amended, the County of Houston shall have the authority to borrow not more than \$50,000.00 per year which may bear interest not to exceed 7 per cent per annum. All such loans shall mature not later than February 1st of the year following that in which the loan is made. No proceeds from any loans made under the provisions of this Act shall be used for any purpose other than that for which the general funds of the County may now be used.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 23, July 30, Aug. 6, and Aug. 13, all in the year 1971.

WALLACE MILLER.

Sworn to and subscribed before me Aug 16, 1971.

EUGENE S. McCLINTIC,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2471. To authorize the Director of Conservation to open a season in Monroe County for the hunting of female deer or unantlered male deer.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the Director of Conservation to open a season in Monroe County for the hunting of female deer or unantlered male deer.

Be It Enacted by the Legislature of Alabama:

Section 1. Any law of the State of Alabama to the contrary notwithstanding, the Director of Conservation is hereby authorized to open a season in Monroe County for the hunting, taking, capturing and killing of female deer or unantlered male deer by a duly promulgated regulation when, in his best judgment, he deems it necessary for biological reasons or because of crop damage to open the season on such deer.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2472. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Monroe County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Monroe County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Monroe County.

Section 2. Any person, firm, or corporation desiring to operate a hunting or shooting preserve in any county to which this Act applies on which artificially propagated birds may be hunted, taken, captured, killed, or otherwise recovered, may do so upon obtaining a hunting preserve license and complying with the provisions of this Act and all rules and regulations prescribed by the director of conservation governing the operation of hunting preserves.

Section 3. Each hunting preserve shall contain a minimum of 100 acres in one tract of leased or owned land, including water area, if any, and shall be restricted to not more than 1,000 contiguous acres including water, if any. The exterior boundaries of each hunting preserve shall be bordered by a single strand of wire or such fence as is acceptable to the state director of conservation, except where rivers, creeks, roads, or other clearly defined demarcations or delineations, acceptable to the director of conservation, form the boundary or a part thereof. Signs shall be erected at intervals of not less than 150 feet around the perimeter of the tract. At the top of each sign shall appear in letters not less than 2 inches high the words, "Licensed HUNTING PRESERVE", and such other words as the director of conservation may prescribe. No hunting preserve shall be located within one mile of any other such preserve or within one mile of any management area or refuge existing under state or federal law or regulations at the time of the establishment of such hunting preserve. No license shall be issued for any hunting preserve on which shooting of turkeys is authorized.

Section 4. Game which may be hunted on a preserve licensed under this Act shall be artificially propagated bob-white quail, coturnix quail, pheasants, chuckar partridge, and such other species of fowl

as the director of conservation shall designate. A minimum stock of at least 1,000 bob-white quail, if bob-white quail are to be hunted on the preserve, and a minimum stock of 200 of each of the other species of birds, listed above, to be hunted on a licensed preserve shall be released on the licensed hunting area during each hunting season.

Section 5. The privilege license or permit fee for operating a hunting preserve shall be \$25 per year for the first 100 acres of hunting preserve area plus \$5 per year for each additional 100 acres or part thereof. Any person who desires to operate such a hunting preserve shall first file a request with a local state game warden, or with the state department of conservation, to have the tract which he proposes to use as a hunting preserve inspected, and if it meets the requirements of this Act and the rules and regulations of the Department of Conservation he shall have a permit issued to him to procure a license to operate such hunting preserve. Upon presentation to the judge of probate of the county in which the preserve is located of a permit from the department of conservation, dated not more than thirty (30) days prior to its presentation, accompanied by the proper license fee prescribed in this section and an issuance fee of fifty cents, the judge of probate of any county to which this Act applies shall issue a privilege license to operate a hunting preserve to the applicant. Privilege licenses to operate hunting preserves shall be issued on forms prescribed by the director of conservation and furnished by him to the judges of probate. All fees collected by the judges of probate for issuing hunting preserve licenses shall be remitted at the same time and in the same manner that hunting and fishing license fees are remitted and shall be paid into the game and fish fund of the state department of conservation.

Section 6. The holder of a license issued pursuant to this Act, his guest, and patrons may hunt, take, capture, kill, or otherwise recover during the year no more than 80 per cent of the total number of each species of birds released on the preserve during such year. The season during which each species of birds may be hunted, taken, captured, killed, or otherwise recovered on such preserve and the bag limits shall be prescribed by the state director of conservation; but in no event shall the season be longer than six months, nor shall it begin before October 1, nor extend later than March 31 of any year.

Section 7. Bob white quail and coturnix quail shall be tagged with self-sealing tag prior to being released on the preserve. The operators of hunting preserves shall cooperate in other requests which the director of conservation might make for scientific investigations. The Alabama Department of Conservation shall specify tags which hunting preserve operators shall use, the tags to be numbered consecutively, dated by the year of issuance, and carry the operator's license number.

Section 8. Each hunting preserve operator shall maintain a register and record therein the names, addresses, hunting license numbers, the date on which each hunted, and the amount and species of game taken by each hunter. An accurate record by species shall also be maintained of the total number of birds raised on the preserve or purchased, and the number of each species released thereon each year. These records shall be open to inspection by any duly authorized representative of the state department of conservation at any reasonable time, and shall be the basis upon which the bag limits and hunting seasons in section 6 hereof shall be determined.

Section 9. Alabama hunting licenses shall be required of all persons hunting on licensed hunting preserves. Alabama residents shall be licensed under the regularly established game laws. Each non-

resident hunting on a licensed preserve shall be required to possess a regular non-resident annual hunting license or a non-resident trip hunting license.

Section 10. Duly authorized agents of the state department of conservation, game wardens, and other law enforcement officers duly authorized to enforce game and fish laws shall have authority to enforce all game and fish laws and regulations on such preserves; and for such purposes are authorized to enter and inspect licensed hunting preserves. Violations of game and fish laws and regulations on such hunting preserves either by the owner, guests, or patrons of such preserves shall be grounds for revocation of the hunting preserve license; and the director of conservation may immediately revoke a hunting preserve license upon proof that any such violations have occurred thereon.

Section 11. Any person, firm or corporation who operates a licensed hunting preserve in violation of any provision of this Act or a duly promulgated rule of the director of conservation relative to the operation thereof shall be guilty of a misdemeanor; and upon conviction shall be punished by a fine of not less than \$50 nor more than \$500 and at the discretion of the court may also be imprisoned for a period of not more than six months for each offense.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. All laws or parts of laws which conflict with this Act are repealed.

Section 14. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2473. To provide an expense account for coroners in Monroe County in lieu of all fees he now receives.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide an expense account for coroners in Monroe County in lieu of all fees he now receives.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Monroe County is to be paid an expense account of \$50.00 per month. This expense account is in lieu of all fees which he now receives.

Section 2. The expense account shall be paid to the coroner of Monroe County by the county commission out of any available funds.

Section 3. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 4. All laws in conflict with this Act are repealed to the extent of the conflict.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2474. To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of Monroe County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of Monroe County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Monroe County, the county commission may provide for payment of the salaries of deputy sheriffs whose compensation is payable by the county from the county highway and traffic fund, it being the duty of deputy sheriffs to enforce highway and traffic laws.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by The Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2475. Relating to Monroe County; authorizing county board of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Monroe County; authorizing county board of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

Be It Enacted by the Legislature of Alabama:

Section 1. The county board of education of Monroe County is hereby authorized to expend public school funds for office space, furniture, office equipment, supplies, stationery, postage, forms, telephone bills, janitor service, fuel, lights and water required by the office of the county superintendent of education, and for the compensation of school census enumerators appointed by the county board of education to take the county school census, as provided by law.

Section 2. The county governing body is hereby relieved from furnishing any of the supplies or services enumerated in Section 1 of this Act to the county board of education or to the county superintendent of education, provided, however, that the county governing body may furnish office space for the county superintendent of education, his assistants, and clerical staff.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.



Also:

By Messrs. Mims and Warren:

H. 2476. Relating to Monroe County; providing additional expense allowances for members of the board of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Monroe County; providing additional expense allowances for members of the board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the Monroe County Board of Education shall be allowed and paid the sum of one hundred fifty dollars per month each, to cover the expenses incurred by them in and about the performance of their duties as such officers. This allowance shall be in addition to any salary or per diem allowance now allowed to them by law, and shall be paid to them monthly out of the public school funds of the county.

Section 2. This Act shall become effective September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2477. To apply in Monroe County, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To apply in Monroe County, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In Monroe County, according to the most recent federal decennial census, the tax collector is authorized and empowered to appoint a clerk, to hold office at the pleasure of the tax collector. The court of county commissioners, board of revenue or other like governing body of the county shall fix the compensation of such clerk at not exceeding \$300 a month, which shall be paid on salary warrants drawn in favor of the clerk payable out of the general funds of the county.

Section 2. All laws or parts of laws, general, special, or local conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2478. To provide clerical assistance for clerks of circuit courts of Monroe County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide clerical assistance for clerks of circuit courts of Monroe County.

Be It Enacted by the Legislature of Alabama:

Section 1. The clerk of the circuit court of Monroe County may employ one clerk-typist to assist him in the clerical work of his office. The clerk-typist shall serve at the pleasure of the circuit clerk, but his compensation shall be prescribed by the court of county commissioners, board of revenue, or other like governing body of the county, at an amount not exceeding three hundred dollars a month. The compensation or salary of the clerk shall be paid from the general fund of the county in equal monthly installments.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2479. To provide for the compensation of the chief clerk of the judge of probate in Monroe County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for the compensation of the chief clerk of the judge of probate in Monroe County.

Be It Enacted by the Legislature of Alabama:

Section 1. The chief clerk of the judge of probate in Monroe County shall be entitled to a salary of not more than four hundred fifty dollars a month, which shall be fixed and determined by the court of county commissioners, board of revenue, or other like governing body of the county, and shall be paid from the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect September 1, 1971.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2480. To apply in Monroe County, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To apply in Monroe County, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In Monroe County, the tax assessor is authorized and empowered to appoint a clerk, to hold office at the pleasure of the tax assessor. The court of county commissioners, board of revenue or other like governing body of the county shall fix the compensation of such clerk at not exceeding \$300 a month, which shall be paid on salary warrants drawn in favor of the clerk payable out of the general funds of the county.

Section 2. All laws or parts of laws, general, special, or local, in conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2481. Relating to Monroe County; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Monroe County; to make unlawful the taking of deer by any means from public waters; to make unlawful the hunting of deer by any means at night; and to prescribe the penalties to be imposed on any person violating the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm or corporation to take or catch by any means or device, deer, whether dead or alive, from the public waters of Monroe County, Alabama.

Section 2. It shall be unlawful for any person, firm or corporation to take, capture or kill deer at night in Monroe County, Alabama, by any means or device, including but not limited to the use of any type of light.

Section 3. A violation of either section of this Act shall constitute a misdemeanor and upon conviction the person, firm or corporation violating same shall be punished by a fine of not less than Five Hundred Dollars (\$500), and at the discretion of the court may also be imprisoned in county jail for not longer than sixty (60) days, for the first offense. Any person, firm or corporation convicted the second time of violating either section of this Act shall be guilty of a misdemeanor and shall be punished by a fine of not less than One Thousand Dollars (\$1000) and at the discretion of the court may also be imprisoned in the county jail for not longer than ninety (90) days. Any person, firm or corporation convicted of violating either section of this Act the third or subsequent times shall be guilty of a misdemeanor and shall be punished by a fine of not less than One Thousand Dollars (\$1,000), and at the discretion of the court may also be imprisoned in the county jail for not less than ninety (90) days nor longer than six months.

Section 4. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional such declaration shall not affect the part that remains.

Section 5. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2482. To provide a clerk for the county commission or other like governing body in Monroe County, to prescribe the duties of such clerk and to provide for his salary.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA

COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide a clerk for the county commission or other like governing body in Monroe County, to prescribe the duties of such clerk and to provide for his salary.

Be It Enacted by the Legislature of Alabama:

Section 1. In Monroe County, the county commission or other like governing body of such county shall employ a competent person to act as clerk of such county commission or like governing body, with power to dismiss him at will. The clerk shall be paid a salary which shall be fixed by the governing body in such amount per month as deemed proper by such body, and which shall be paid in equal monthly installments by warrant drawn on any county funds available for such purpose.

Section 2. The duties of such clerk shall be to attend all meetings of the commission or other like governing body, to keep the minutes of such meetings, to keep a record reflecting the true status of the county's financial condition showing the status of all outstanding obligations of the county, to estimate the income of the county for each current year and amend such estimate from time to time when changed conditions materially alter the same, to audit claims presented to the governing body, to issue warrants when authorized by such body, to perform all duties and keep all records prescribed by law for the control of county finances, and generally to do and perform such other duties as the commission or other like governing body may designate to him.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2483. Relating to Monroe County; providing for and regulating the compensation of the county engineer.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Monroe County; providing for and regulating the compensation of the county engineer.

Be It Enacted by the Legislature of Alabama:

Section 1. The Monroe County Engineer appointed by the county commission shall be paid an annual salary to be fixed by said county commission: provided, however, that the maximum amount of such salary shall not exceed the amount in which the State Highway Department is authorized to participate in paying as prescribed in Code of Alabama 1940, Title 12, Section 70, as amended. Such salary shall be paid in equal monthly installments from the county road and highway funds and from the funds contributed or paid by the State Highway Department, proportionally, as provided.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective September 1, 1971.



## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2484. Relating to Monroe County; to provide further for the duties, compensation and expense allowances of the Monroe County Commission.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Monroe County; to provide further for the duties, compensation and expense allowances of the Monroe County Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman or president of the county commission of Monroe County shall be entitled to receive a salary of \$225 per month, which salary shall be the entire compensation of such officer for the performances of the duties of his office. Each member of the Monroe County Commission shall be entitled to receive a salary of \$385 per month and an expense allowance of \$100 per month for the performance of their duties. The salaries provided for herein shall be payable from any funds in the county treasury available for such purpose.

Section 2. The county commission of Monroe County shall, in addition to all meetings now required by law to be held by it, meet at the county courthouse on the fourth Tuesday in each month to transact such county business as may properly come before it. Such meetings shall not be considered special meetings of the board, but shall be in addition to special meetings and all regular meetings otherwise provided for.

Section 3. It shall be the duty of each member of the Monroe County Commission to supervise and direct the construction, improvement and operation of all road work in such member's particular district and to devote such time and attention thereto as is required for the addition and economical for the addition and economical performance of such work. Members of the Monroe County Commission shall, either as a body of the whole or as duly appointed members of a committee, meet with and hold conferences with officials of the State Highway Department from time to time as such body may deem proper and expedient for the purpose of promoting and conducting an improved system of highways and roads in the county and for determining requirements to be met in order to obtain state and federal aid for county construction and improvement.

Section 4. This Act shall take effect September 1, 1971.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2485. To authorize and direct the board of education of Monroe County to reimburse the county superintendent of education any sums expended by him in payment of premiums on surety bonds covering certain employees of the board of education.

With notice and proof thereto attached and herewith exhibited as follows:

##### STATE OF ALABAMA COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To authorize and direct the board of education of Monroe County to reimburse the county superintendent of education any sums expended by him in payment of premiums on surety bonds covering certain employees of the board of education.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of education of Monroe County is hereby authorized and directed to draw, or cause to be drawn, a warrant, check, or other instrument on the public school funds of the county to reimburse the county superintendent of education for all sums paid out by him in payment of premiums of surety bonds covering employees of the board of education, said bonds having been made for the protection of the public school monies of the county.

Section 2. This Act shall take effect September 1, 1971.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2346, 2347, 2349, 2460, 2461, 2462, 2463, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2580, 2481, 2482, 2483, 2484 and 2485. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cauthen and Slate:

H. 2676. Providing for the distribution of fines and forfeitures from convictions in certain cases of traffic violations in Morgan County.

Also:

By Mr. Coshatt:

H. 2677. To fix the salaries and allowances of certain officers in St. Clair County and to provide for clerical assistance, office space,

equipment and supplies necessary for the conduct of their offices; to remove the Register from the fee basis, placing Register on salary, basis of compensation and fixing salary thereof; provide that all fees charged or collected by certain officers of the county be paid into the county treasury; repeal all acts or parts of acts in conflict with this Act; provide for a referendum election to be held pursuant to Amendment 196 of the Alabama Constitution of 1901.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To fix the salaries and allowances of certain officers in St. Clair County and to provide for clerical assistance, office space, equipment and supplies necessary for the conduct of their offices; to remove the Register from the fee basis, placing Register on salary basis of compensation and fixing salary thereof; PROVIDE THAT ALL FEES charged or collected by certain officers of the county be paid into the county treasury; repeal all acts or parts of acts in conflict with this Act; provide for a referendum election to be held pursuant to Amendment 196 of the Alabama Constitution of 1901.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of St. Clair County shall receive the following salaries and allowances:

a. Judge of Probate - Sixteen Thousand Dollars (\$16,000.00) per annum and ten cents per mile traveled in the county in the discharge of his duties for and on behalf of the county. Said travel allowance shall not exceed Two Hundred Dollars (\$200.00) per month;

b. County Commissioners - Each Commissioner shall receive Six Thousand Dollars (\$6,000.00) per annum and ten cents per mile traveled in the county in discharge of his duties for and on behalf of the county. Said travel allowance shall not exceed One Hundred Dollars (\$100.00) per month; In addition, the Judge of Probate and County Commissioners shall each be reimbursed for travel and actual expenses incurred on official business outside the county;

c. Sheriff - Thirteen Thousand Dollars (\$13,000.00) per annum;

d. Coroner - Eighteen Hundred Dollars (\$1,800.00) per annum, and ten cents per mile for each mile traveled in the discharge of his duties for and on behalf of the county;

e. Tax Assessor - Ten Thousand Five Hundred Dollars (\$10,500.00) per annum;

f. Tax Collector - Ten Thousand Five Hundred Dollars (\$10,500.00) per annum;

g. Judges of the Inferior Courts - Six Thousand Six Hundred Dollars (\$6,600.00) per annum;

h. Circuit Clerk - Ten Thousand Five Hundred Dollars (\$10,500.00) per annum;

i. Register - Three Thousand Dollars (\$3,000.00) per annum;

Such salaries and allowances hereinabove set out shall be in lieu of all other compensation heretofore provided by law, and all annual salaries shall be paid in equal monthly installments out of the general fund of the county. Except, the compensation and expenses of the county commissioners may be payable monthly out of the gasoline tax appropriated to the county.

j. Board of Equalization - Each member shall receive Fifteen Dollars (\$15.00) per day for each day that is authorized by law to meet and in addition each member shall receive ten cents per mile for each mile traveled in the discharge of his duty for and on behalf of the county. Said travel allowance shall not exceed ten dollars (\$10.00) per day. Said per diem to be in lieu of that otherwise fixed by law, and shall be paid according to the provisions of Title 51, Section 95, 1958 Recompiled Code of Alabama. (The intent of this act is to increase the total compensation, excluding travel allowances, to \$15.00 per diem for each member of the Board of Equalization.)

k. Board of Registrars - Each member shall receive Fifteen Dollars (\$15.00) per day for each day said board is authorized by law to meet. Said per diem to be in lieu of that otherwise fixed by law, and shall be paid according to the provisions of Title 17, Section 24, 1958 Recompiled Code of Alabama. (The intent of this act is to increase the total compensation, excluding travel allowances, to \$15.00 per diem for each member of the Board of Registrars.) In the event the board is required to meet in some beat other than at the courthouses of this county, then each member shall be allowed travel allowance of ten cents per mile to and from his home to said meeting place of the board.

Section 2. All fees, commissions, allowances, percentages, and other charges heretofore collected for the use of the Judge of Probate, the Judges of the Inferior Court; the Sheriff, Tax Assessor, Tax Collector, Register, or Circuit Clerk of St. Clair County shall be collected and paid into the general fund of the county. (This to exclude those certain fees paid into the county treasury for use of the Sheriff's Department under Act No. 96 of the Regular Session of the 1969 Legislature and fees for the use of the Circuit Solicitor under Act No. 179 of the Special Session of the 1962 Legislature.)

Section 3. The County Commission or other like governing body of St. Clair County shall provide the Judge of Probate, each Judge of the Inferior Court, the Sheriff, Tax Assessor, Tax Collector, Register, and Circuit Clerk of the county with such clerical assistance, quarters, books, stationery, office equipment, postage, and other such conveniences and supplies as are necessary for the proper and efficient conduct of their respective offices. Each of said officers shall have the authority to appoint such clerical assistance as may be authorized for his office, and such clerical assistants shall serve at the pleasure of the appointing authority, subject to the provisions of any present or future county merit system or personnel appeals board act. The sheriff shall also be provided with an automobile or such other automotive equipment as he chooses provided the total cost thereof is within a reasonable prevailing cost range.

Section 4. The provisions of this act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective only if approved by a majority of the qualified electors of St. Clair County voting at a referendum election held not less than three months after the final adjournment of the legislative session at which this law is enacted. The governing body of St. Clair County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election, the question shall be stated substantially as follows: "Shall the Provisions of Act No. \_\_\_\_\_ of the 1971 Session of the Legislature, which adjusts and fixes the salaries and allowances of certain officers of St. Clair County, be adopted? Yes ( ) No ( )."

If a majority of the votes cast at the election are "Yes," the provisions of this Act shall become effective, and shall become applicable to each of the elective offices mentioned in Section 1 hereof upon the expiration of the term of office of the present incumbent of each of such offices, except the provisions of this Act relating to the appointive offices in Section 1 shall be effective immediately upon approval of this Act by a majority of electors voting in above mentioned referendum election. If a majority of the votes cast in the election under this Act are "No," this Act shall have no effect. The results of the election, however, shall be certified by the Judge of Probate of St. Clair County to the Secretary of State, who shall make a permanent record thereof.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, August 4, August 11, and August 18, all in the year 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me August 16, 1971.

ANNE T. MILAM,  
Notary Public.

Also:

By Mr. Coshatt:

H. 2678. To abolish the Inferior Court of St. Clair County and to create and establish in lieu thereof a new Inferior Court System for St. Clair County, Alabama; to define and prescribe its jurisdiction, powers and venue; to provide for the judges and other officers of said court, their powers, duties, tenure and compensation; to set costs of court; to provide rules of procedure for said court and the operation thereof; to provide for the time and place of the holding of said court; to repeal conflicting laws and provide for the effective date of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To abolish the Inferior Court of St. Clair County and to create and establish in lieu thereof a new Inferior Court System for St. Clair County, Alabama; to define and prescribe its jurisdiction, powers and venue; to provide for the judges and other officers of said court, their powers, duties, tenure and compensation; to set costs of court; to provide rules of procedure for said court and the operation thereof; to provide for the time and place of the holding of said court; to repeal conflicting laws and provide for the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Inferior Court of St. Clair County is abolished and there is hereby created and established a new Inferior Court System for St. Clair County, Alabama, to be designated as the Inferior Court System of St. Clair County, Alabama. The court hereby established shall have and exercise concurrent jurisdiction in all criminal cases arising in the county with that vested in and exercised by the several justices of the peace of said county. The said court shall have and exercise concurrent jurisdiction with the Circuit Court of St. Clair County in all civil cases in which the amount involved does not exceed One Thousand Dollars (\$1,000.00), except in cases of libel, slander, assault and battery, and ejectment.

Section 2. That said court shall be composed and consist of two separate judicial divisions, to be known and designated as the Northern Judicial Division and the Southern Judicial Division, said separate judicial divisions to be composed of that territorial area now included within the similar styled judicial divisions of the Circuit Court of St. Clair County, that is, that geographical area now known and designated as the Northern Division of the Circuit Court of St. Clair County shall likewise be known and designated as the Northern Judicial Division of the court herein established, while that geographical area now known and designated as the Southern Judicial Division of the Circuit Court of St. Clair County shall likewise be known and designated as the Southern Judicial Division of the court herein established and the present laws pertaining to and governing venue in the judicial divisions of the Circuit Court of St. Clair County shall likewise pertain to and govern the venue of all cases in the court herein established.

Section 3. That there shall be two judges of said court, one of whom shall reside in the Northern Judicial Division and preside over said division of the court, and the other shall reside in the Southern Judicial Division and preside over that division of said court.

Section 4. The two judges holding office under the provisions of the act which this Act repeals shall continue to hold office until the general election of 1972 and until their successors are elected and qualified. At such general election, and every four years thereafter, there shall be elected by the qualified voters of St. Clair County two judges of said Inferior court of the county, one for the Northern Judicial Division and one for the Southern Judicial Division as herein constituted.

To be eligible for election as judge of such court the person so seeking election must have been a resident and qualified elector of the particular judicial division of the court for which he seeks election as judge for at least one year prior to the date of the election at which such office is to be filled. At the time of such election only the qualified voters residing in that area of the county composing the Northern Judicial Division shall participate in the election for judge of such court for that division, and only the qualified voters residing in that area of the county composing the Southern Judicial Division shall participate in the election for judge of such court for this latter division. Vacancies in the office of the judge of said court for either judicial division shall be filled by appointment of the Governor and the term of office of the person so appointed shall be for the unexpired term of his predecessor and until his successor is elected and qualified.

Section 5. That the judges of said court shall have and exercise all the powers and authority and perform all the duties now prescribed by law for justices of the peace of said State, except as otherwise provided herein. Said judges shall have the same rights and privileges and suffer the same disabilities and penalties as now, or may hereafter, apply by law to justices of the peace, except as otherwise provided herein. They shall, before entering upon the duties of such office, take an oath of office in the form and manner now required by law to be taken by justices of the peace of the State of Alabama, copy of which shall be recorded in the Office of the Judge of Probate of St. Clair County, and a commission shall be issued to said judges by the State as provided by law for other county officers. Said judges may be removed from office for the causes and in the manner provided by law for removal of justices of the peace. Said judges may punish for contempt in those cases where justices of the peace may punish for contempt, by a fine of not more than \$6.00 and by imprisonment in the county jail for not more than six hours, one or both, at their discretion.

Section 6. The costs to be assessed and collected by said courts created by this Act shall be as follows:

(a) A Cost of Five Dollars (\$5.00) shall be assessed and collected in each criminal case disposed of in said court.

(b) The costs to be assessed and collected in each civil case shall be as follows: In those cases in which the amount in controversy is \$50.00 or less, \$2.00; in those cases in which the amount in controversy is greater than \$50.00 but not more than \$100.00, \$3.00; (Same formula - increase \$1.00 for each \$100.00 up to \$1,000.00)

(c) Any other costs, fees, commissions, allowances provided for this court and the officers thereof under the act which this Act repeals or provided for by general law governing courts of this type are hereby incorporated into this Act. Provided, however, that all such costs, fees, commissions and allowances shall be collected and paid directly into the general fund of St. Clair County, Alabama.

Section 7. All costs assessed in civil cases and all costs, fines and forfeitures collected in criminal cases for St. Clair County shall be paid into the general fund of St. Clair County. Fifty per cent of the fines and forfeitures collected by the Inferior Court System of St. Clair County for the State of Alabama shall be retained and shall be paid into the general fund of St. Clair County to help defray the cost of the operation of said Inferior Court System of St. Clair County.

Section 8. The salary of each inferior Court judge shall be Sixty-Five Hundred Dollars (\$6,500.00) per annum, payable in equal monthly installments from the general fund of St. Clair County.



Section 9. The judge of each Inferior Court is to appoint a Clerk and employ any other necessary assistants as authorized by the county governing body. The salaries of these clerks and assistants are to be fixed by the governing body of the county. Said clerk shall before entering upon the duties required of him as Clerk of the Inferior Court of St. Clair County, execute a bond in the amount of Four Thousand Dollars (\$4,000.00) to be approved by the judge of Probate of St. Clair County, and filed in the office of the judge of Probate of St. Clair County, said bond to be conditioned in the same manner as now required of the bonds of the clerks of the circuit courts. In criminal and civil cases he shall perform the same duties as required to be performed by the clerks of the circuit courts. That portion of fines, forfeitures and other monies collected for and due to be paid to the State of Alabama shall be remitted monthly by such clerk to the appropriate department, agency or official of the State of Alabama now designated by law for the receipt of such monies. All fines, forfeitures and other monies collected by the clerk for St. Clair County shall be paid monthly by said clerk into the general fund of St. Clair County. The fees accruing to witnesses, when collected, shall be paid directly to those persons entitled thereto.

Section 10. The Sheriff of St. Clair County, Alabama shall be deemed an officer of said court and shall perform all duties as officer of said court as required of him in the circuit courts.

Section 11. That the rules and regulations governing justice courts shall apply as nearly as possible to all civil actions in said court and the rules and regulations governing the operation and administration of the county courts of the various counties shall apply as nearly as possible in all criminal actions, except as otherwise provided herein. All parties against whom judgment or sentence has been rendered by said court shall have the right and privilege of appeal from such judgment or sentence to the circuit court of the county if notice of such appeal be given within ten days from the date of rendition of such judgment or sentence, such appeals to be perfected in the same manner prescribed by law for the taking of appeal from justice courts. In all civil cases the judges may, at their discretion, set aside judgment, on motion of either party, within five days after such judgment is entered. In civil cases when an execution has been issued within twelve months after the rendition of judgment and has not been returned noted as satisfied, an alias execution may be issued thereon at any time within six years from the date of revival of such judgment. The owner of any judgment or decree rendered by or in said court may file a certificate of same for record in the office of the judge of probate of the county and same shall be and constitute a lien on all of the property of the defendant located in said county, the manner of filing said certificate of judgment and the effect of such filing to be governed by the provisions of law now found in Article 9 of Chapter 11, Title 7, Code of Alabama 1940.

Section 12. That in the event either of the judges of said court is absent, disqualified or otherwise unable to act, a special judge shall be appointed in the manner provided by Section 160 of the Constitution of Alabama 1901 and Section 124 of Title 13 of the Code of Alabama 1940.

Section 13. That it shall be the duty of the County Solicitor or Deputy District Attorney of St. Clair County to prosecute all criminal cases in said court and a solicitor's fee shall be taxed and collected in the same amount and manner as now provided for the taxing and collecting of same in similar cases in the county courts. All solicitor's fees, when collected, shall be paid into the General Fund of St. Clair County.

Provided, however, that in those cases heard and determined in and by said court wherein the defendant enters a plea of guilty and no appeal is taken from the judgment or sentence of said court no fee shall be taxed or collected in said court for solicitor's fees in such cases.

Section 14. That witnesses fees in all cases, criminal and civil, shall be taxed as cost and paid in the same amount and manner as provided by law for the payment of witnesses in the county courts of the various counties.

Section 15. That it shall be the duty of the court of county commissioners, or other similar governing body of St. Clair County to provide a courtroom in the courthouse of each of the judicial divisions for the holding of said court and to further provide said court with all necessary forms, stationery, books and other articles and supplies which may be reasonably necessary for the operation of said court.

Section 16. That the judge of the Northern Judicial Division of said court shall hold same in the courthouse at Ashville on the first Tuesday in every month and at such other or further times as he may desire. That the judge of the Southern Judicial Division of said court shall hold same in the courthouse at Pell City on the second Tuesday in every month and at such other or further times as he may desire.

Section 17. That all laws, and parts of laws, local, special or general, in conflict with the provisions of this act are, insofar as they conflict with the provisions hereof, are specifically repealed.

Section 18. That the provisions of this act are hereby declared to be severable. If any section or portion thereof be declared unconstitutional, or otherwise invalid, such declaration shall in no wise affect the remaining portions thereof.

Section 19. This act shall take effect immediately upon its passage and approval by the Governor or its otherwise becoming a law.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 28, August 4, August 11, and August 18, all in the year 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me August 16, 1971.

ANNE T. MILAM,  
Notary Public.

Also:

By Messrs. Kinsey and Benton:

H. 2690. Relating to all counties having not more than 61,000 nor less than 57,000 inhabitants according to the last or any subsequent federal decennial census; to empower the boards of registrars in such

counties to designate clerks of cities within such counties and chief clerks of the probate courts in such counties to act as deputy registrars; to prescribe the duties and powers of said deputies and the methods by which application may be taken by said deputies, and to determine the hours during which the boards of registrars shall operate in such counties.

Also:

By Mr. Easters:

H. 2695. To apply to counting having a population of not less than 34,100, nor more than 34,900, according to the most recent federal decennial census. Authorizing and empowering the County Commission or other county governing body to divide or redivide the County into Commission Districts and to otherwise provide for the election of the members of the Commission.

Also:

By Mr. Hardin:

H. 2704. To amend the title and Section 1 of Act No. 764, H. 1463, Regular Session 1961 (Acts 1961, p. 1091), which Act provides further for the compensation of members of the jury commission in counties having populations of not less than 22,000 nor more than 22,500, according to the most recent federal decennial census.

Also:

By Messrs. Doss, Dill, Boutwell and Wallace:

H. 796. To authorize the governing body of any county having a population of 500,000 or more, according to the last or any subsequent federal census, to use equipment and personnel of the county in improving, beautifying and preparing, any land in the county for public park purposes or recreational purposes, subject to the terms, conditions and restrictions prescribed in this act.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2676, 2677, 2678, 2690, 2695 and 2704. To the Committee on Local Legislation No. 1.

H. B. 796. To the Committee on Local Legislation No. 2.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Waggoner, Bowers, Meeks, Ellis, Falkenburg, Boles, Wallace, Dill, Timmons, Parker (H), Gafford, McBride, Doss, Adwell, Weeks, Gloor, Jones (E), Erdreich and Boutwell:

H. 2647. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits

of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given of the intention to apply for the introduction into and the passage by the House and the Senate of the Alabama Legislature of the following bill:

A BILL  
TO BE ENTITLED  
AN ACT

To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That, from and after the passage and approval of this Act the boundary lines of the City of Birmingham, Jefferson County, Alabama, be and the same are altered and re-arranged so as to include within the corporate limits of said City, in addition to the territory included within its present corporate limits, the territory lying and situated in Jefferson County, Alabama, contiguous to said City, more particularly described as follows:

A tract of land situated in part of Section 29, Township 16 South, Range 1 West; part of Section 32, Township 16 South, Range 1 West; part of Section 33, Township 16 South, Range 1 West; and part of Section 5, Township 17 South, Range 1 West; all in Jefferson County, Alabama, and being more particularly described as follows:

Begin at the Southeast Corner of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 29 and run North along the East line thereof to the crest of Red Mountain; thence Northwesterly and Southwesterly along the crest of Red Mountain to its intersection with the North line of said Section 32; thence West along the North line of said Section 32 to the Northeast Corner of the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 32; thence South along the East line of said quarter-quarter Section to the Southeast Corner thereof; thence West along the South line of said quarter-quarter Section to the Northeast Corner of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 32, thence South along the East line of said quarter-quarter Section to the Southeast Corner thereof; thence West along the South line of said quarter-quarter Section to a point that is 350.00 feet East of the West line of said Section 32; thence South along a line 350.00 feet Easterly of and parallel to the West line of said Section 32 to its intersection with a line that extends from the Northwest Corner of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 32 to a point on the South line of said Section 32 that is 784 feet Easterly of the Southwest Corner of said Section 32; thence Southeasterly along said last mentioned line to the South line of said Section 32; thence West along the South line of said Section 32 for 784 feet to the Southwest Corner thereof; thence South along the West line of Section 5, Township 17 South, Range 1 West to its intersection with the Northwesterly Right of Way line of interstate Highway I-59; thence Northeasterly along said Right of Way line to its intersection with the Southwesterly Right of Way line of Edwards Lake Road; thence Northwesterly along said Right of Way to its intersection with the North line of Section 32, Township 16 South, Range 1 West; thence West along the North line of said Section 32 to the Point of Beginning.

Except that part of SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 32, Township 16 South Range 1 West, described as follows:

Commence at the Northwest Corner of said quarter-quarter section; thence East along the North line thereof for 559.36 feet; thence 90 degrees 49 minutes right and run Southerly for 452.32 feet to the Point of Beginning; thence continue Southerly along last stated course for 315.00 feet; thence 90 degrees 49 minutes left and run Easterly 315.00 feet; thence 89 degrees 11 minutes left and run Northerly for 315.00 feet; thence 90 degrees 49 minutes left and run Westerly 315.00 feet to the Point of Beginning.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA  
COUNTY OF JEFFERSON

On this 17th day of August A. D. one thousand nine hundred and seventy one personally appeared before me, R. H. Carlisle, a Notary Public in and for the County and State aforesaid Harris Galluia, who, being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post-Herald" on the following dates: July 30, 31, 1971, Aug 7, 14, 17, 1971.

HARRIS GALLUIA.

Subscribed and sworn to before me this 17th day of Aug. A. D. 1971.

R. H. CARLISLE,  
Notary Public.

My Commission Expires 3-3-73.

Also:

By Messrs. Cherner, Parker (H), Jones (E), Boles, Ellis, Adwell, Waggoner, Gafford, Bowers, Wallace, Meeks, McBride, Weeks and Timmons:

H. 2706. To authorize the payment of \$1,768.25 from the general fund of any county having a population of not less than 600,000 according to the last or any subsequent federal decennial census, to Sue Ann Bailey to reimburse her for medical and other expenses in connection with an automobile accident on a public road.

Also:

By Messrs. Grainger, Lutz, Hearn and King:

H. 2625. To repeal Act No. 480, H. 871, 1961 Regular Session, approved August 8, 1961, pertaining to planning and zoning in incorporated cities having a population of not less than 100,000 nor more than 200,000.

Also:

By Messrs. Grainger, Lutz, Hearn and King:

H. 2626. To repeal Act No. 979, S. 396, 1961 Regular Session, pertaining to proportion of contribution between counties and municipalities to budget of county health department.

Also:

By Messrs. Grainger, Lutz, Hearn and King:

H. 2627. To repeal Act No. 484, H. 932, 1961 Regular Session, pertaining to employees of waterworks or other boards in all cities of 100,000 nor more than 200,000.

Also:

By Messrs. Grainger, Hearn, Lutz and King:

H. 2629. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Madison County under certain conditions to issue general obligation bonds in not exceeding \$2,000,000 principal amount for acquiring, providing, constructing and equipping public school buildings including sites therefor; to provide that said bonds may be secured by a pledge of a sufficient amount of the  $\frac{1}{4}$  of 1% ad valorem tax authorized by Section 215 of said constitution to be levied by said county; to provide that none of said bonds shall be chargeable against the constitutional debt limit of said county; and to specify certain details pertaining to said bonds and to the issuance and sale thereof.

Also:

By Messrs. Hearn, Lutz, Grainger and King:

H. 2630. To repeal Act No. 1210, H. 1470, 1969 Regular Session, pertaining to municipalities having a population of not less than 70,000 nor more than 120,000 according to the most recent Federal Decennial Census, providing that such municipalities may authorize municipal electric utility boards to make certain expenditures without prior consent and approval of the governing body.

Also:

By Messrs. King, Grainger, Hale and Lutz:

H. 2632. To repeal Act No. 463, H. 869, 1961 Regular Session, requiring cities of not less than 100,000 nor more than 200,000 to become organized under the commission form of government.

Also:

By Messrs. Hearn, Grainger, King and Lutz:

H. 2633. To repeal Act. No. 410, H. 138, 1969 Regular Session, pertaining to off street parking facilities in cities of not less than 100,000 nor more than 150,000.

Also:

By Messrs. Hearn, Grainger, King and Lutz:

H. 2634. To repeal Act No. 407, 1961 Regular Session, pertaining to counties having populations of 150,000 and less than 300,000 in which there is an incorporated city having a population of 100,000 and less than 200,000, and having to do with appointment of a humane officer.

Also:

By Messrs. King, Grainger, Hale and Lutz:

H. 2635. To repeal Act No. 486, H. 939, 1961 Regular Session, pertaining to retirement systems in cities exceeding 100,000 and not exceeding 200,000.

Also:

By Messrs. Lutz, Grainger, Hearn and King:

H. 2636. To repeal Act No. 417, 1957 Regular Session, pertaining to salaries of commission or council members in cities of not less than 125,000 nor more than 250,000.

Also:

By Messrs. Lutz, Hale, Hearn and King:

H. 2686. Relating to all counties having populations of not less than 175,000 nor more than 300,000, according to the most recent federal decennial census, electing to come under the provisions of this Act; providing additional and alternate methods for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits and the transfer of ownership of motor vehicles; relating to the collection and issuance of other county licenses, providing exception; creating a county license department and providing for the appointment, qualifications, term, duties and authority of the director and deputy director; transferring certain duties, liabilities, and responsibilities of the tax collector, tax assessor and probate judge to such department; providing for the method by which a county to which this Act applies can elect to come within or withdraw from the provisions of this Act; providing for the appointment of a license inspector for such county or counties and to fix his duties and responsibilities; and repealing conflicting laws.

Also:

By Messrs. Lutz, Grainger, Hearn and King:

H. 2637. To authorize and make provisions for the incorporation in any county having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census, of an authority as a public corporation for the purpose of constructing, leasing, building, installing, acquiring, owning, operating, maintaining, equipping, using and controlling marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings, and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in connection therewith; to provide that in order for any such authority to be organized application be made to the governing body of the county in which said authority is to be organized and to the governing body of at least one municipality therein, and that permission for organization of such authority be granted by such governing body; to provide for the election of the directors and officers of such authority; to specify its powers; to provide that the county in which any authority has been organized and each municipality which duly authorized the authority may aid and cooperate in the planning, undertaking construction, extension, improvement or operation of facilities as described therein, and may lend or donate to such authority money, property, or any right capable of transfer; to implement such provisions by authorizing such county and each such municipality to issue its general obligation bonds for the purpose of aiding in the planning, undertaking construction, and operation of facilities of an authority organized pursuant to this act; to authorize the issuance by such authority of interest-bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of such bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge by

any of the revenues of such authority to which its right then exists or may thereafter come into existence, and by foreclosable mortgage on any property of such authority whether then in existence or thereafter acquired; to provide that such pledge may be provided for in an indenture by the said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding and effective against third parties without notice from the time a statement thereof is filed in the Office of the Judge of Probate of the county in which such authority is organized, and any other county in which there is located any property, the revenues from which are so pledged; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the uses to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom and the property and income of said authority; to authorize the investment in bonds of the authority any idle funds of the county in which such authority was organized and of each municipality which duly authorized the organization of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; and to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge and indenture and the proceedings authorizing the same.

Also:

By Messrs. Grainger, King, Hale, Hearn and Lutz:

H. 2687. To authorize the charging of a "convenience fee" in the amount of 25 cents on the sale of any hunting or fishing licenses sold in Madison County by any special agent who sells hunting or fishing licenses in the City of Huntsville under authority granted pursuant to the provisions of Act No. 623, H. 351, p. 1082, Acts of Alabama, 1951 Regular Session of the Alabama Legislature; prescribing penalties for the violation of the provisions of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the charging of a "convenience fee" in the amount of 25 cents on the sale of any hunting or fishing licenses sold in Madison County by any special agent who sells hunting or fishing licenses in the City of Huntsville under authority granted pursuant to the provisions of Act No. 623, H. 351, p. 1082, Acts of Alabama, 1951 Regular Session of the Alabama Legislature; prescribing penalties for the violation of the provisions of this Act.



Be It Enacted by the Legislature of Alabama:

Section 1. Any special agent selling hunting or fishing licenses in the City of Huntsville, Alabama, under authority granted by the Director of the County License Department pursuant to the provisions of Act No. 623, H. 351, p. 1082, Acts of Alabama, 1951 Regular Session of the Alabama Legislature, may, on or after the effective date of this Act, charge a "convenience fee" on the sale of hunting and fishing licenses as hereinafter provided for. Said special agent shall retain the entire amount of said fee for his services in selling such licenses.

Section 2. Said "convenience fee" shall be in the amount of 25 cents and shall be in addition to the amount of the license and the amount of any and all other fees authorized by law and may be charged because of the convenience to the public to have hunting and fishing licenses available for sale at odd hours and at many locations other than the county courthouse.

Section 3. Before any person shall charge the 25 cents "convenience fee" authorized by the provisions of this Act, he must post in a prominent and conspicuous place in his place of business where said hunting and fishing licenses are sold, and said fee is charged, a printed notice, which will be furnished by the Director of the County License Department, of the additional 25 cents "convenience fee" that will be charged under the provisions of this Act and notice of the fact that the license may be purchased without the payment of this fee during ordinary business hours at the county courthouse.

Section 4. Any person who violates any provision of this Act shall be deemed guilty of a misdemeanor.

Section 5. This Act is intended to be cumulative and supplementary to any existing law or laws.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. The provisions of this Act shall become effective October 1, 1971.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 15, JULY 22, JULY 29, and AUG. 5, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me AUGUST 5, 1971.

WILLIAM B. BAKER,  
Notary Public.

My Commission Expires 12-17-73.

Also:

By Messrs. King, Lutz, Grainger, Hale and Hearn:

H. 2688. To authorize the governing body of Madison County to create a county planning commission; to permit members of the county governing body, including its presiding officer, to serve on a county planning commission; to provide for the organization, powers, jurisdiction, personnel, and financial and legal status of such commissions; to authorize the county to adopt regulations for the subdivision of land within the county, and to provide for their administration through a county planning commission; to authorize the county to divide the county into districts and within such districts regulate the use of land, the height, bulk, and use of buildings and structures, the density of population; to provide for county boards of zoning adjustment and define the authority, powers, and functions of such boards, and the procedure and appeals from their decisions; to provide remedies in the enforcement of resolutions and regulations made by the county under the authority of this act; to provide for penalties for violations thereof; to provide for the county and municipalities to join with other counties or municipalities to establish planning regions and create regional planning commissions and to provide for the organization, powers and duties of such regional planning commission.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA  
MADISON COUNTY**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

To authorize the governing body of Madison County to create a county planning commission; to permit members of the county governing body, including its presiding officer, to serve on a county planning commission; to provide for the organization, powers, jurisdiction, personnel, and financial and legal status of such commissions; to authorize the county to adopt regulations for the subdivision of land within the county, and to provide for their administration through a county planning commission; to authorize the county to divide the county into districts and within such districts regulate the use of land, the height, bulk, and use of buildings and structures, the density of population; to provide for county boards of zoning adjustment and define the authority, powers, and functions of such boards, and the procedure and appeals from their decisions; to provide remedies in the enforcement of resolutions and regulations made by the county under the authority of this Act; to provide for penalties for violations thereof; to provide for the county and municipalities to join with other counties or municipalities to establish planning regions and create regional planning commissions and to provide for the organization, powers and duties of such regional planning commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Commission, or other similar governing body of Madison County (hereinafter called "governing body") may by adoption of the proper resolution following a favorable referendum,

such referendum being confined to the qualified electors who reside within the territory, area, or areas who come within the purview and or jurisdiction of this legislation, create a County Planning Commission and further comply with the provisions of this Act. COMMISSION. The County Planning Commission shall have nine members, namely, three ex-officio members consisting of the Chairman of the County Commission or similar presiding officer of the county governing body and a member of the governing body and one administrative official of the county to be selected by the governing body, and six residents of the county to be appointed by the county governing body. Each county district shall have a representative on the board and the remaining members shall be appointed from the county at large. Members of the Madison County Commission, or similar governing body, and the Chairman of the Madison County Commission or any similar presiding officer of a governing body may serve as members of the commission notwithstanding the provisions of Title 12, Section 7, of the Code of Alabama or any other provisions limiting the offices which such governing officials may hold. All members of the commission shall serve without compensation, and the members appointed from the residents of the county shall hold no other county office, except that one such member may also be a member of the County Zoning Board of Adjustment. The terms of the Chairman of the County Commission or other presiding officer of the governing body and the individual selected from the county governing body as members of the commission shall correspond to their respective tenures of office. The administrative official shall serve at the pleasure of the governing body. The term of each of the six appointed resident members shall be three years or until his successor takes office, except that the respective terms of such members first appointed shall be so arranged that the terms of two members will expire each year thereafter. Any vacancy in an appointed resident membership shall be filled by the county governing body's appointment of an interim member. The county governing body may in its discretion remove any appointee member.

**Section 3. JURISDICTION OF COMMISSION.** The jurisdiction of the commission shall extend to all areas of the county outside the boundaries of municipal corporations; provided, however, that where a municipality now or in the future is authorized to exercise and does in fact exercise planning and zoning powers in any area outside its municipal boundaries, such areas shall be excluded from the jurisdiction of the county planning commission. Municipal corporations in the county may, by petition of the governing body of the municipality, apply to come under the jurisdiction of the county planning commission. The Madison County Commission or similar governing body, with the advice of the Planning Commission, shall have the right and power to accept or reject the petition of the municipality and the action of the Madison County Commission on the petition of the municipality shall be duly noted on the minutes of the Commission and when so noted the action of the Commission shall be final.

**Section 4. ORGANIZATION AND RULES.** The Commission shall elect its chairman from among the appointed members and create and fill such other offices as it may determine. The term of chairman shall be for one year, with eligibility for re-election. The Commission shall normally hold at least one regular meeting each month. It shall adopt by-laws for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record.

**Section 5. STAFF AND FINANCES.** The Commission may appoint, promote, demote, and remove such employees as it deems neces-

sary for its work. The Commission may also contract with county or city planners, engineers, architects, and other consultants and with any local, regional, State or Federal agency for such services as it may require. The commission may cooperate with and accept funds from Federal, State and local public or semi-public agencies, private individuals or corporations, and may expend such funds, and may carry out such cooperative undertakings and contracts for planning studies necessary in the performance of its duties. The expenditures of the Commission, exclusive of gifts, grants or contract receipts, shall be within the amounts appropriated for the purpose by the county governing body.

**Section 6. GENERAL POWERS AND DUTIES OF THE COMMISSION.** It shall be the function and duty of the Commission to make and maintain in an up-to-date manner a comprehensive plan for the physical and economic development of the county. Such plan, with the accompanying maps, plats, charts, and descriptive material shall show the Commission's recommendations for the use and development of the territory of the said county, including, among other things, the general location, character, and extent of highways, roads, viaducts, bridges, waterways, floodways, recreational sites, airports, open spaces, public buildings or other property, public utilities, either publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power and other purposes, and the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the foregoing highways, roads, grounds and open spaces, property, or utilities. The master plan shall also include a zoning plan for selected areas for the control of the height, area, bulk, location, and use of structures, buildings and land, except that nothing herein contained shall be construed to restrict or limit the type or kind of crop which may be grown. As the work of making the whole master plan progresses, the commission may from time to time adopt and publish a part or parts thereof, any such part to cover one or more major sections or divisions of the county or one or more of the aforesaid or other functional matters to be included in the plan. The commission may from time to time amend, extend, or add to the plan.

**Section 7. PURPOSES IN VIEW.** In the preparation of the master plan the commission shall make careful and comprehensive surveys and studies of the present conditions existing within the county with due regard to existing agricultural uses, to land which by virtue of its fertility, proximity to water supplies, and other geographical features is particularly suited to agricultural uses, to neighboring municipalities, towns, and villages, to the growth of subdivisions, to the general population growth of the county, and make adequate provision for traffic, recreational areas and public utilities and other public requirements. The plan should be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the county, which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development, and should promote safety from fire, flood and other dangers, the healthful and convenient distribution of population, and the wise and efficient expenditure of public funds. The plan shall be a public record, but its purpose and effect shall be to aid the planning commission in the performance of its duties, including making recommendations to the county governing body and assisting and cooperating with other Federal, State and local agencies so as to achieve coordinated, adjusted, and harmonious development.

**Section 8. SUBDIVISION REGULATIONS.** The commission shall prepare and submit to the governing body for its consideration and adoption a code of regulations governing the subdivision of land within

its jurisdiction. Such regulations shall include provisions as to the extent of the improvements to be made, including the arrangement of streets, curbs, gutters, sidewalks in relation to other existing or planned roads, highways and freeways and to the master plan for safe, adequate and convenient travel, traffic control, location of railways, utilities, access of fire fighting apparatus, recreation, light and air, for the avoidance of congestion of population through the designation of width and area of lots, and for the protection of floodways and the lessening of flood danger at building sites. Such regulations shall also include provisions as to the location and dimension of water and sewer and other utility mains and facilities to be installed for service to the planned subdivision. All such regulations shall be published as provided by law for the publication of resolutions of the county governing body and shall be the subject of a public hearing before adoption. Upon adoption by the governing body of such code of regulations, the planning commission shall be empowered to administer and enforce the same and to approve and disapprove subdivision plats in accordance with such code of regulations, a copy of the code of regulations to be certified to the office of the Judge of Probate. The governing body may amend the uniform code from time to time by following the same procedure. Compliance with the provisions of the code of regulations shall be a requirement for approval of any subdivision plat; provided, however, that the commission may tentatively approve any subdivision plat prior to the installation of any of the required improvements, but any such tentative approval shall be revocable and shall not be noted on the plat; and provided, further, that in lieu of the completion of the required improvements prior to final approval of the subdivision plat by the commission, the commission may accept a surety bond requiring the actual construction and installation of such improvements at a time stipulated in the conditions of approval and fixed in accordance with the code of regulations adopted by the commission. The county is hereby granted the power to enforce such bond by all appropriate legal and equitable remedies. For the purpose of this act "subdivision" means the division of a lot, tract, or parcel of land into one or more lots, plats, sites, or other divisions of land for the purpose, immediate or future, of sale or building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

**Section 9. PROCEDURE FOR APPROVING SUBDIVISION PLAT.** Whenever the governing body shall have adopted a code of subdivision regulations as provided in Section 7, and a certified copy thereof has been filed with the Judge of Probate, no plat of a subdivision of land within the commission's jurisdiction shall be filed or recorded or otherwise given legal effect until it shall have been approved by the commission and such approval entered in writing on the plat by the secretary of the commission. The commission shall act to approve or disapprove a subdivision plat within thirty days after its submission; otherwise such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the commission on demand; provided, however, that the applicant for the commission's approval may waive this requirement and consent to an extension of such period. The grounds for disapproval of any plat shall be stated upon the records of the commission. Any plat submitted to the commission shall contain the name and address of a person to whom notice of a hearing shall be sent; and no plat shall be acted on by the commission without a public hearing thereon. Notice shall be sent to the said address by registered mail of the time and place of such hearing not less than five days before the date fixed therefor. Similar notice shall be mailed to the owners of land immediately adjoining the platted land, as their names appear upon the plats in the county tax assessor's office or on the tax records of the county. Every plat approved by the commission

shall, by virtue of such approval, be deemed to be an amendment of or an addition to or a detail of the county master plan and a part thereof. Approval of a lot shall not be deemed to constitute or effect an acceptance by the public of any street or other open space shown upon the plat. The planning commission may, from time to time, recommend to the governing body, amendments of a zoning ordinance or map or additions thereto to conform to the commission's recommendations for the zoning of the territory within the approved subdivisions. The commission is authorized to agree with the applicant for approval of a subdivision plat concerning the use, height, area or bulk requirements or restrictions governing buildings and premises within the subdivision, provided such requirements or restrictions do not authorize the violation of the then effective zoning ordinance of the county. Such requirements or restrictions shall be stated upon the plat prior to the approval and recording thereof and shall have the same force of law and be enforceable in the same manner and with the same sanctions and penalties and subject to the same power of any amendment or repeal as though set out as part of the zoning ordinance or map of the county.

**Section 10. PENALTIES FOR TRANSFERRING LOTS IN UN-APPROVED SUBDIVISIONS.** Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells or agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision before such plat has been approved by the county planning commission and recorded or filed in the office of the County Recorder, shall forfeit and pay a penalty of \$500 for each lot or parcel so transferred or sold or negotiated to be sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or conveyance of other document used in the process of selling or transferring shall not exempt the transaction from the penalties or remedies herein provided. The county may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the same penalty by a civil action in any court of competent jurisdiction.

**Section 11. ZONING: GRANT OF POWER.** For the purpose of promoting the health, safety, morals, convenience, order, prosperity and general welfare of the state and counties. The county governing body is hereby empowered to divide the portion of the county within its zoning jurisdiction into districts of such number, shape and area as may be found best suited to carry out the purposes of this act, and to provide within such districts for standards relating to the location, bulk, height, minimum elevation, number of stories, and size of buildings and other structures, the percentage of lot which may be occupied, the sizes of yards, courts, and other open spaces, the density and distribution of population, the uses of buildings, structures, and of land for trade, residence, recreation, agriculture, forestry, conservation, water supply, sanitation, floodways, public activities, and other purposes. Such provision shall be made in accordance with a comprehensive plan and shall be designed to lessen congestion in the streets and highways; to secure safety from fire, flood, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water supply, sewerage, schools, parks, and other public requirements. Such provision shall be made with reasonable consideration, among other things, of the character of the land and district and its peculiar suitability for particular uses and with a view of promoting desirable living conditions, sustaining the stability of neighborhoods, protecting property against blight and depreciation, securing economy in governmental expenditures, conserving the value of buildings, and encouraging the most appropriate use of land and of buildings and structures through-

out the county territory. For the purpose of providing for the division of the territory into districts, consonant with the conditions provided in this section, the planning commission may make and certify to the governing body a single zoning plan for all the territory of the area which lies within the jurisdiction of the governing body or may make and certify separate and successive zoning plans for parts of such territory which it deems suitable for urban or suburban development or which for other reasons it deems to have appropriate territorial unity for a zoning plan; and correspondingly any zoning ordinance or resolution enacted by the governing body may cover and include the whole territory lying within its jurisdiction or such territory as the commission deems to be appropriate territorial unit for a zoning plan; provided, however, no resolution governing more or less than the entire area covered by a zoning plan certified by the planning commission shall be enacted or put into effect until it is first submitted to the planning commission for additional review and comment.

**Section 12. PUBLICATION OF NOTICE OF PROPOSED ZONING RESOLUTION.** No recommendations for district zoning regulations proposed by the commission shall be enacted by any governing body under the authority of this article unless and until the proposed zoning resolution has been published for at least 15 days in advance of its passage in a newspaper having general circulation within the county or within the area to be zoned, or if there is no such newspaper, by posting the same at the county courthouse of the county wherein any area is to be zoned together with a notice stating the time and place that the resolution is to be considered for enactment by the governing body, and stating further that at such time and place all persons who desire shall have an opportunity to be heard in favor of or in opposition of such zoning resolution; and provided, further, that no resolution or ordinances providing the regulations, restrictions, and boundaries passed under the authority of this article shall be amended, supplemented, changed, modified or repealed until notice and opportunity for public hearing shall have been given in accordance with the provisions of this section.

**Section 13. COUNTY BOARD OF ADJUSTMENT.** In availing itself of the powers conferred by this article, the governing body of the territory served by the commission shall provide for the appointment of a board of adjustment and may provide the said board of adjustment shall in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the zoning ordinance or the regulations in harmony with its general purposes and interests and in accordance with general or specific rules adopted pursuant to this article. The board of adjustment shall consist of five members; one member shall be a member of the county planning commission selected by the governing body from among the six appointed resident member of the commission; in addition, there shall be four other members of the board of county adjustment who shall be appointed from the residents of the county by the governing body to serve for a term of three years; provided that in establishing the board of adjustment, the governing body may designate the terms of the four county resident member first appointed on such basis that the term of one member will expire each year thereafter. Such members shall be removable for cause by the governing body upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member by interim appointees designated by the governing body. The board shall select its chairman and adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman, or in his absence the acting chairman, may administer oaths and compel the

attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent of failing to vote, indicating such fact, and shall keep records of examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. Appeals to the board of adjustment may be taken by any person aggrieved or by any county official or administrative officer. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing notice of appeal specifying the grounds thereof with the officer from whom the appeal is taken and with the board of adjustment. The officer from whom the appeal is taken shall transmit forthwith to the board all papers constituting the record upon which the action appealed from was taken. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. Such proceeding shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application or notice to the officer from whom the appeal is taken and on due cause shown. The board of adjustment shall have the following powers: (1) to hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative body or official in the enforcement of this article or of any ordinance adopted pursuant thereto; (2) to hear and decide on request for, special exceptions to the term or provisions of the ordinance upon which such board is required to pass; and (3) to authorize upon appeal in special cases such variance from the yard, open space, bulk and height requirements of the ordinance as will not be contrary to the public interest, when, owing to special condition of the building site or land, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, all in order that the spirit of the ordinance shall be observed and substantial justice done; provided, however, that nothing in this act shall authorize the board of adjustment to approve a use not permitted by the ordinance for the district in which the building site is located. In exercising the above mentioned powers such board may, in conformity with the provisions of this article, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make any such order, requirement, decision, or determination as ought to be made, and, to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance. The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof of such portions thereof as may be called on by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

**Section 14. REMEDIES.** In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any subdivision is established, or land used in violation of this article or of any ordinance or other regulation made under the authority conferred hereby, the county attorney, or other appropriate administrative officer of the county in which the violation occurs may institute any appropriate action or proceedings to prevent such unlaw-



ful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or subdivision of the land or use of the land to restrain, correct, or abate such violation, or to prevent the occupancy of any such building, structure, subdivision or land or to prevent any illegal act, conduct, business, or misuse in or upon any premises regulated under the authority conferred by this article.

**Section 15. APPEALS.** Any party aggrieved by any final judgment or decision of a board of adjustment established pursuant to the provisions of Section 15 may within 15 days thereafter appeal therefrom to the circuit court or other court having jurisdiction within the county wherein the affected property of the aggrieved party is located, by filing with such board a written notice of appeal specifying the judgment or decision from which appeal is taken. In case of such appeal such board shall cause a transcript of the proceedings in the cause to be certified to the court to which the appeal is taken and the cause in such court shall be tried de novo.

**Section 16. CONFLICT WITH OTHER LAWS.** Wherever the regulations made under authority of this article require a greater width or size of yards or open spaces, or require a lower height of buildings, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in any other local statute or like ordinance or regulation, the provisions of the regulations made under the authority of this article shall govern herein. Wherever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards, or other open space, or require a lower height of buildings, or require a greater percentage of lot to be left unoccupied, or imposed other higher standards than are required by regulations made under authority of this article the provisions of such statute or local ordinance or regulation shall govern.

**Section 17. CREATION OF REGIONAL PLANNING COMMISSIONS.** Any two or more counties, or parts of two or more counties, or a municipality and a county, or a group of municipalities and a county or counties are authorized to establish a planning region composed of the combined jurisdiction of participating counties and municipalities and to cooperate in the creation of a regional planning commission. Such planning commission shall have a membership of from 9 to 15 members; provided, however, that if the total number of municipalities and counties forming a regional planning commission exceeds 15, the size of the commission may equal the number of municipalities and counties involved. Such a regional planning commission shall be created by a resolution approved by the separate vote of the governing body of each participating municipality and county; said resolution shall fix the number of members to represent each participating county or municipality on the regional planning commission, the terms of the members, and the division of financial support among the participants. The chief administrative officer, with the approval of the chief governing body, shall appoint the members representing each participating county or municipality on the regional planning commission. Any governing body may withdraw from the commission on two-years notice to other participating municipalities and counties. The resolution creating the regional planning commission may be amended or repealed in the same manner as it was originally adopted. The chief legislative body of any municipality may designate the regional planning commission in which it is participating as the planning commission of such municipality, and in event of such designation the regional planning commission shall have all the powers and duties of a municipal planning commission as set forth in Title 37, Chapter 16 of the Code of Alabama.

Section 18. **POWERS AND DUTIES OF REGIONAL PLANNING COMMISSION.** The regional planning commission shall have all the powers and duties granted to county planning commissions by this article and shall be governed by Sections 4 and 5 of this article in its organization, rules, staff, and financing. It shall have the further duty to promote the mutual cooperation of planning commissions of municipalities within the region, and the coordination of the plans of such municipalities with the plans of the region and generally to confer with and advise municipal and county executive and legislative bodies and officials for the purpose of promoting a coordinated and adjusted development of the region. To this end the regional planning commission shall submit a copy of the regional plan or any adopted part of amendment to the governing body of participating counties and municipalities and to the planning commission of each municipality having a planning commission and located within the region; provided, however, that nothing in this article shall be considered as restricting or abridging the powers of a municipal planning commission.

Section 19. **SAVING CLAUSE.** The invalidity of any provision of this act shall not affect the validity of any other provision.

Section 20. **REPEAL.** All laws and part of laws in conflict herewith are hereby repealed.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared GARY BUCKNER, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was ADVERTISING DIRECTOR of the HUNTSVILLE NEWS, a newspaper of general circulation published in MADISON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on JULY 30, AUGUST 5, AUGUST 11, and AUGUST 16, all in the year 1971.

GARY BUCKNER.

Sworn to and subscribed before me AUGUST 16, 1971.

WILLIAM B. BAKER,  
Notary Public.

My Commission Expires 12-17-73.

Also:

By Messrs. Grainger, King, Hearn, Hale and Lutz:

H. 2689. To regulate further the costs and fees in the county courts of all counties having populations of not less than 175,000 nor more than 300,000 according to the last or any subsequent federal census.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 2647 and 2706. To the Committee on Local Legislation No. 2.

H. B.'s 2625, 2626, 2627, 2629, 2630, 2632, 2633, 2634, 2635, 2636, 2686, 2637, 2687, 2688 and 2689. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 2629, was read a first time at length as required by the Constitution.)

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mims and Warren:

H. 2486. To provide for the appointment of additional deputy sheriffs in Monroe County.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

#### A BILL TO BE ENTITLED AN ACT

To provide for the appointment of additional deputy sheriffs in Monroe County.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Commission of Monroe County may authorize the county sheriff to appoint from time to time as many deputy sheriffs as such governing body may determine to be needed to insure the proper and efficient performance of the duties of the office of the sheriff of the county.

Section 2. A deputy sheriff appointed under the provisions of this Act shall have all the power and authority of other deputies and shall be eligible to perform all the duties of a deputy sheriff at any place in the county.

Section 3. Each such deputy shall hold office at the pleasure of the sheriff of the county, and shall be paid a salary which shall be fixed by the county governing body and paid in equal monthly installments out of the county highway and traffic funds.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2487. Relating to Monroe County; relieving the board of registrars of such county from the duty of visiting precincts or voting places in the performance of their duties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF MONROE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Monroe County; relieving the board of registrars of such county from the duty of visiting precincts or voting places in the performance of their duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of registrars of Monroe County are relieved of duty of visiting the precinct and voting places in the performance of their official duties as provided in Code of Alabama 1940, Title 17, Section 26 as amended; and in lieu thereof shall meet at the courthouse and receive application for registration from persons residing anywhere in the county for the same number of days as provided by law for visiting the precincts for the purpose of registering voters.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its other wise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MONROE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Monroe Journal, a newspaper of general circulation published in Monroe County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 22, July 29, Aug. 5, and Aug. 12, all in the year 1971.

BILL STEWART.

Sworn to and subscribed before me August 12, 1971.

FRANCES REID NETTLES,  
Notary Public.

Also:

By Messrs. Crawford and Connell:

H. 2496. To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

With notice and proof thereto attached and herewith exhibited as follows:

## NOTICE OF PROPOSED LOCAL LEGISLATION

STATE OF ALABAMA  
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide for supplemental salary to be paid by Houston County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the salary paid to the additional Judge, Place Number 2, of the Judicial Circuit embracing Houston County, Alabama, by the State, there shall be paid to the said Judge, the supplemental sum of \$1,500.00 per annum out of the general funds of Houston County, Alabama, in equal monthly installments on the last day of each month, to be paid on the certificate of said Judge.

Section 2. The effective date of this Act shall begin at midnight on the first Monday after the second Tuesday in January, 1971.

**STATE OF ALABAMA  
HOUSTON COUNTY**

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: August 31, September 7, 14, 21, 1970 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

**WALLACE MILLER.**

Sworn to and subscribed before me on this 3rd day of June, 1971.

**EUGENE S. McCLINTIC,**  
Notary Public.

Also:

By Messrs. Crawford and Connell:

H. 2497. To provide for supplemental salary to be paid by Henry County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Henry County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

With notice and proof thereto attached and herewith exhibited as follows:

**NOTICE OF PROPOSED  
LOCAL LEGISLATION**

**STATE OF ALABAMA  
COUNTY OF HENRY**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide for supplemental salary to be paid by Henry County, Alabama, to the additional Judge, Place Number 2, of the Judicial Circuit embracing Henry County; to fix the amount and method of payment thereof; and to further provide the effective date of said Act.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the salary paid to the additional Judge, Place Number 2, of the Judicial Circuit embracing Henry County, Alabama, by the State, there shall be paid to the said Judge, the supplemental sum of \$900.00 per annum out of the general funds of Henry County, Alabama, in equal monthly installments on the last day of each month, to be paid on the certificate of said Judge.

Section 2. The effective date of this Act shall begin at midnight on the first Monday after the second Tuesday in January, 1971.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA  
HENRY COUNTY

Before me, Nathalie S. Dodd, a Notary Public in and for said County, in said State, personally appeared J. Edward Dodd, who is known to me, and who by me being duly sworn, deposes and says that he is the Publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on to-wit: September 24, 1970, October 1, 1970, October 8, 1970 and October 15, 1970.

J. EDWARD DODD.

Sworn to and subscribed before me, this 15th day of October, 1970.

NATHALIE S. DODD,  
Notary Public.

Also:

By Mr. Owens:

H. 2507. Relating to counties having a population of not less than 15,650, nor more than 16,200, according to the most recent federal decennial census; providing for the election of the associate members of the county governing body.

Also:

By Mr. Owens:

H. 2508. To amend the title and Section 1 of Act No. 492, H. 1046, Regular Session 1965 (Acts 1965, p. 712) which repeals special county excise taxes in certain counties classified on a population basis.

Also:

By Mr. Owens:

H. 2509. Relating to counties having populations of not less than 15,650 nor more than 16,200; Levying a privilege license or excise tax on certain sellers and distributors of spirituous or vinous liquor; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; authorizing the county commission of any such county to levy an additional tax upon such sellers, distributors, storers or users of malt or brewed beverages; providing for the administration of the Act by the county treasurer and the collection, apportionment, and distribution of the proceeds of the Act; prescribing penalties for violations and giving the Act a retroactive effect.

Also:

By Mr. Coshatt:

H. 2522. To provide that St. Clair County construct, repair, and maintain all county roads on the basis of the County as a unit without regard to district or beat lines; to designate the duty of the county governing body to employ a county engineer and the qualifications for

said engineer; to fix and designate the duties, powers, and authority of said county engineer, and to fix the amount of his bond, provide for the approval of same and payment of premiums thereon; to provide for the fixing of a scale of wages and salaries; to designate the county engineer as the person to make requisitions for road supplies and equipment; to designate the county engineer as custodian of all tools, machinery, supplies, and equipment relating to roads in St. Clair County; to provide for the setting aside of road funds by the county commission, and for the expenditure of the same; to provide for emergencies; to further provide the duties of the members of the county commission; to provide travel and other expenses for the members of the county commission in carrying out the duties imposed on them by the provisions of this Act; to repeal all laws in conflict with this Act, and to expressly repeal Act N. 168 of the Regular Session of the Legislature of 1953.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA  
COUNTY OF ST. CLAIR**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL  
TO BE ENTITLED  
AN ACT**

To provide that St. Clair County construct, repair, and maintain all county roads on the basis of the County as a unit without regard to district or beat lines; to designate the duty of the county governing body to employ a county engineer and the qualifications for said engineer; to fix and designate the duties, powers, and authority of said county engineer, and to fix the amount of his bond, provide for the approval of same and payment of premiums thereon; to provide for the fixing of a scale of wages and salaries; to designate the county engineer as the person to make requisitions for road supplies and equipment; to designate the county engineer as custodian of all tools, machinery, supplies, and equipment relating to roads in St. Clair County; to provide for the setting aside of road funds by the county commission, and for the expenditure of the same; to provide for emergencies; to further provide the duties of the members of the county commission; to repeal all laws in conflict with this Act, and to expressly repeal Act No. 168 of the Regular Session of the Legislature of 1953.

Section 1. County roads in St. Clair County shall be constructed, repaired, and maintained as a unit without regard to district or beat lines.

Section 2. The county governing body shall possess original and unlimited jurisdiction and authority respecting county roads and bridges within St. Clair County.

Section 3. The jurisdiction and authority of the county governing body respecting roads and bridges shall not be delegated to nor exercised by any member of the governing body individually; such jurisdiction and authority shall be exercised solely by the governing body in joint session and by instructions to the county engineer appointed by and serving at the pleasure of the county governing body.



Section 4. The county engineer, whose salary shall be fixed by the county governing body, shall hold no other office or employment and shall devote his entire time to the duties of his office. He shall be qualified to practice engineering and surveying in Alabama and shall have had not less than three years experience in the construction and maintenance of highways and shall possess all of the qualifications as specified for County Engineers under the General Laws of the State of Alabama. Said County Engineer shall be appointed by the County Commission from a nomination made by the State Highway Director. If said nomination is not acceptable to said Commission the State Highway Director shall be requested to make additional nominations. Should the State Highway Director refuse, or fail to make nominations, the Commission may fill the position of County Engineer with any person who has the qualifications herein set out.

Section 5. It shall be the duty of the said County Engineer, (1) to employ, supervise and direct all such assistants as are necessary to properly maintain and construct the public roads, highways, and bridges of St. Clair County, and he shall have authority to prescribe their duties, and to discharge said employees for cause, or when not needed; (2) To perform such engineering and surveying service as may be required, and to prepare and maintain the necessary maps and records; (3) to maintain the necessary accounting records to reflect the cost of the County Highway system; (4) to build, or construct new roads or change old roads, but only when ordered to do so by proper order of the County Commission; (5) It shall be his further duty to construct and maintain all County roads on the basis of the County as a unit, without regard to any district or beat lines.

Section 6. The said County Engineer is hereby designated as the person authorized to make written requisition upon the County Commission, or its duly designated purchasing agency, for all articles, materials, supplies, and equipment necessary for the maintenance and construction of roads, bridges, and highways in St. Clair County.

Section 7. It shall be the duty of the County Commission to fix, from time to time, in accordance with prevailing economic conditions, the various scale of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, bridges, and highways, and said wage or salary scale shall not be exceeded by said engineer in the employment of labor and assistants. **Provided, however,** that should the County Commission refuse or fail to fix said scale of wages or salaries, said engineer shall request the State Highway Director to fix the same, and the wages or salaries so fixed by the State Highway Director shall not be exceeded in the employment of said labor and assistants.

Section 8. Before entering upon his duties, the said County Engineer shall make and enter into a surety bond in the amount of ten thousand (\$10,000) Dollars, payable to St. Clair County, conditioned for the faithful discharge and performance of his duties as such Engineer, and for the faithful accounting of all monies or property of said County, which may come into his possession or custody; said bond to be executed by a surety company authorized and qualified to do business in Alabama, and to be approved by the Chairman of the County Commission; the premiums thereon to be paid by the County.

Section 9. The county commission shall furnish the County Engineer with an office at the Court House, or elsewhere, at the County seat, and all necessary office supplies, and shall furnish him with necessary transportation in connection with his duties under this Act.

Section 10. The County Engineer shall be the custodian of all road tools, machinery, supplies and equipment of St. Clair County, and he shall be accountable for the same, at all times. The County Commission shall furnish the necessary storage facilities in which to keep said tools, machinery, supplies and equipment, and the County Engineer shall keep on files in his office at all times, an up-to-date inventory, containing a list of all said tools, machinery, equipment and supplies belonging to St. Clair County.

Section 11. The authority of said County Engineer shall be limited to the expenditure of such funds for the purpose of construction, maintenance or repairs of public roads, bridges, and highways of St. Clair County as may be set aside and appropriated by the County Commission, as hereinafter provided; it shall be the duty of said County Commission at some meeting in September of each calendar year, or not later than the first meeting in October following, by order or resolution spread upon the minutes, to fix and determine the amount of funds which will be available for the purpose of building, maintaining and constructing public roads, bridges and highways of St. Clair County for the current fiscal year, beginning on October 1st, which said amount, other than the salary of said County Engineer and his necessary expenses, shall not be exceeded by him in building, maintaining and constructing public roads, bridges and highways in St. Clair County during said period; provided however, that said County Commission is authorized, from time to time within any such period, to increase the amount so allowed to be expended by said County Engineer during said period, when such authorization will not conflict with provisions of the General Law under the Budget Act, Title 12, Section 74, of the Code of Alabama as recompiled 1958. And, provided, further that if such funds are presently available, and have not heretofore been set aside by the present County Commission of St. Clair County. Immediately upon the passage and approval of this Act, it shall be the duty of the County Commission to set aside a sufficient portion of said funds for the maintenance of said roads, bridges, and highways until the meeting in September or October, 1971, as hereinabove provided for.

Section 12. The County Engineer shall make written requisition to the Chairman of the County Commission for all materials, machinery, equipment, and necessary supplies needed for the construction, maintenance, or repair of the public roads, bridges, and highways of St. Clair County. Said requisitions shall be filed and presented by the Chairman to the Commission at its next meeting, for the approval of the Commission.

Section 13. It shall be the further duty of the County Engineer to inspect all materials, machinery, equipment, and supplies, purchased by St. Clair County for use on public roads, bridges, and highways; when the same is delivered, and the same shall not be accepted and paid for without first having been approved by him.

Section 14. In the event an emergency should arise, in which it would be impossible for the County Commission to employ an Engineer, as hereinabove provided for, then, in that event the County Commission shall employ a competent Road Supervisor who need not be an engineer, but, when so employed, he shall have all the duties and authority of said Engineer, and be subject to the provisions of this Act; but an emergency shall not exist so long as the State Highway Director can nominate an engineer who will accept employment by said County Commission under the terms of this Act, it being the intention of this Act to provide that, when County roads are to be maintained or constructed in said County, the supervision thereof shall be either under a

County Engineer, as hereinabove provided for, or, by a Road Supervisor, who is not a member of the County Commission.

Section 15. It shall be the further duty of each Member of the County Commission to inspect the roads of his district from time to time, and hear the suggestions and complaints of the citizens, and report the same to the County Commission with his recommendations; to advise with the County Engineer concerning the problems of his district, particularly; and to assist in securing rights-of-way, and assist in public relations generally.

Section 16. All laws and parts of laws, in conflict with the provisions of this Act are hereby repealed and Act No. 168 of the Regular Session of the Legislature of 1953 is hereby expressly repealed.

Section 17. Should any section, clause, or part of this Act, be declared invalid it shall not affect any other part thereof.

Section 18. This Act shall become effective immediately upon passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me August 16, 1971.

ANNE T. MILAM,  
Notary Public.

Also:

By Mr. Coshatt:

H. 2523. To provide for a Personnel Appeals Board for St. Clair County and for any city over 5,000 population in said county; to prescribe the qualifications, terms, duties, and compensation of its members, and to provide rules relating to political activities by employees of St. Clair County and any city in said county to which this act applies; and to give the act a retroactive effect.

With notice and proof thereto attached and herewith exhibited as follows:

#### STATE OF ALABAMA COUNTY OF ST. CLAIR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, **to-wit:**

A BILL  
TO BE ENTITLED  
AN ACT

To provide for a Personnel Appeals Board for St. Clair County and for any city over 5,000 population in said county; to prescribe the qualifications, terms, duties, and compensation of its members, and to provide rules relating to political activities by employees of St. Clair County and any city in said county to which this act applies.

Be It Enacted by the Legislature of Alabama:

Section 1. There shall be established a Personnel Appeals Board in and for St. Clair County, Alabama and for any city over 5,000 population in said county.

Section 2. For the purposes of this Act the following words and phrases shall have the following meanings:

"Personnel Appeals Board" hereinafter called the Board shall mean the board created by this Act.

"County" shall mean St. Clair County.

"City" shall mean any city over 5,000 population in St. Clair County to which this Act applies.

"County Commission" shall mean the existing county governing body or any such succeeding county governing body or St. Clair County.

"Employee" shall mean any person regularly employed in a job or position by St. Clair County, St. Clair County Board of Education, and any city to which this act applies; except those exempted in Section 3 of this Act.

Section 3. The provisions of this Act shall apply to all officers and employees in the service of the county or city or any board, agency or instrumentality thereof except: - (a) elective officers; (b) members of appointive boards, commissions, and committees; (c) part time employees; (d) employees with less than 180 days service; (e) teachers, principals or any persons who are covered by the provisions of the teacher tenure laws of Alabama; (f) attorneys, physicians, surgeons, dentists, pharmacists, and optometrists employed in their professional capacities; (g) the judge of any court; (h) independent contractors receiving their remuneration from public funds under contracts awarded by competitive bidding.

Section 4. No person to whom this Act applies, shall be appointed or promoted to, or demoted or dismissed from any job or position with the county or city, or in any way favored or discriminated against with respect to his employment because of his political or religious opinions or affiliations. No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated to secure employment, promotion, increase in pay or any other advantages in employment with the county or city for the purpose of influencing the vote or political action of any person or for any consideration. No employee of the county or city shall, directly or indirectly be required to pay any assessment for any political organization or purpose. No county employee to whom this Act applies shall participate in the campaign of any candidate for county office in any capacity other than to exercise his right as a citizen to privately express his opinion and to cast his vote. No city employee to whom this Act applies shall participate in the campaign of any candidate for city office in

any capacity other than to exercise his right as a citizen to privately express his opinion and to cast his vote. Any employee of the county or city to whom this Act applies who violates the provisions of this section shall forfeit his or her position.

Section 5. Any employee who, for any cause, has been dismissed, suspended, demoted or whose pay has been reduced, may, not less than 7 days and not more than 14 days thereafter, answer the charges made against him leading to such disciplinary action by filing a written petition, sworn to by proper affidavit and addressed to the Personnel Appeals Board, with the Clerk of said Board. Upon the filing of such a petition the Chairman of the Personnel Appeals Board shall fix a date not less than 7 nor more than 21 days thereafter for the hearing of said petition. This hearing may be public or private at the discretion of the employee. Upon the hearing of said petition the Board shall receive all evidence in support of the disciplinary action heretofore mentioned and all evidence in support of the petition. Said Board shall render a written decision covering the issue involved, not later than ten days following the conclusion of the hearing. The decision of the Board may uphold the disciplinary action or the Board may modify such action in any manner it deems to be just and proper, including the full reinstatement of the petitioning employee with all pay and allowances from the date of the imposition of discipline.

Section 6. The Clerk of the St. Clair County Commission shall serve as Clerk of the Personnel Appeals Board. The Commission is authorized to employ and to provide for the compensation of such additional clerks to assist the said Clerk as it may deem necessary for the administration of this Act.

Section 7. There shall be created the Personnel Appeals Board which shall be composed of five members. One member shall be appointed by the County Commission, one member shall be appointed by the County Board of Education, one member shall be appointed by the governing body of the city or cities to which this act applies, one member shall be appointed by the Circuit Judge of the thirtieth Judicial Circuit or such Judicial Circuit as St. Clair County may hereafter become a part and one member shall be appointed by the legislative delegation representing St. Clair County in the Alabama Legislature. One of the members originally so appointed shall serve for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years and one for a term of six years. The original members of the Board so appointed shall draw lots to determine the length of term each shall serve. Thereafter all members shall serve for terms of six years each and until their respective successors are appointed as specified above. Any member of the Board whose term shall expire shall be eligible for reappointment.

No Person shall be appointed to the Personnel Appeals Board unless he is over twenty-five years of age, is of recognized character and ability, and is an actual resident in and qualified elector of the county. No person shall be eligible to appoint or shall continue to be a member of the Board who holds an elective Office under the state, county, or any city therein, or who is a candidate for elective office. Vacancies on the Board shall be filled for unexpired terms in the same manner as original appointments are made. The Board shall elect a chairman from among its members, who shall preside at its meetings, and any three members shall constitute a quorum for the transaction of any business which may properly come before the Board. Each person so appointed shall, within fifteen days after appointment, qualify by making oath that he will faithfully execute the duties of office to the best of his ability and knowledge, which oath shall be recorded as provided

by law. The Board shall adopt reasonable rules regulating the procedure of said Board. Notice of all meetings of the Board shall be given to each member by the Clerk of the Board.

Section 8. The Board shall have the right to administer oaths, take depositions and issue subpoenas to compel the attendance of witnesses and production of papers as evidence.

Section 9. The Board shall also issue subpoenas upon request of either party. Any person failing to obey the Board's subpoena may be punishable by the Circuit Court, having jurisdiction in St. Clair County, for contempt.

Section 10. The County Commission or like governing body of St. Clair County is hereby authorized and directed to provide for the members of the Board, in their capacity as such members, all legal counsel and representation as may be reasonable and necessary.

Section 11. The Personnel Appeals Board shall meet on the call of the Chairman or upon call of three members of said Board. Such meetings shall be held in the county courthouse in an office which the county governing body shall provide. Each member of the Personnel Appeals Board shall be entitled to receive ten dollars for each day actually served in transacting the business of the Board, not to exceed \$120.00 per annum per member, payable from the General Fund of St. Clair County.

Section 12. Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. All laws or parts of laws which conflict with this Act are repealed.

Section 15. This Act shall become effective immediately upon passage and approval by the Governor, or upon its otherwise becoming a law.

#### PROOF OF PUBLICATION

#### STATE OF ALABAMA COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Cornett, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the St. Clair Observer, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 21, July 28, August 4, and August 11, all in the year 1971.

ROBERT D. CORNETT.

Sworn to and subscribed before me August 16, 1971.

ANNE T. MILAM,  
Notary Public.

Also:

By Messrs. Mims and Warren:

H. 2539. To repeal Act No. 712, H. 999, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1550), entitled, "An Act To provide an expense account for coroners in counties having populations of not less than 22,372 nor more than 24,000 in lieu of all fees he now receives."

Also:

By Messrs. Mims and Warren:

H. 2540. To repeal Act No. 609, H. 742, approved September 8, 1967, Regular Session 1967 (Acts 1967, p. 1410), entitled, "An Act To create an inferior court for counties having populations of not less than 22,372 nor more than 24,000; to replace county courts of counties having populations of not less than 22,372 nor more than 24,000."

Also:

By Messrs. Mims and Warren:

H. 2541. To repeal Act No. 287, H. 934, approved August 27, 1963, Regular Session 1963 (Acts 1963, p. 732), entitled "An Act Relating to counties having populations of not less than 22,350 nor more than 24,350; providing expense allowances for members of the governing bodies of such counties."

Also:

By Messrs. Mims and Warren:

H. 2542. To repeal Act No. 169, H. 156, approved July 30, 1965, Regular Session 1965 (Acts 1965, p. 236), entitled, "An Act To provide a clerk for the county commission or other like governing body in counties having a population of not less than 22,350 and not more than 24,350 according to the last or any subsequent federal decennial census, to prescribe the duties of such clerk and to provide for his salary."

Also:

By Messrs. Mims and Warren:

H. 2543. To repeal Act No. 212, H. 165, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 242), entitled, "An Act To apply in all counties having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census; providing for the compensation of the chief clerk of the judge of probate in every such county."

Also:

By Messrs. Mims and Warren:

H. 2544. To repeal Act No. 113, H. 155, approved July 7, 1965, Regular Session 1965 (Acts 1965, p. 173), entitled, "An Act To provide for the appointment of additional deputy sheriffs in counties having a population of not less than 22,350 and not more than 24,350 according to the most recent federal decennial census."

Also:

By Messrs. Mims and Warren:

H. 2545. To repeal Act No. 240, H. 284, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 324), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws."

Also:

By Messrs. Mims and Warren:

H. 2546. To repeal Act No. 239, H. 283, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 323), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws."

Also:

By Messrs. Mims and Warren:

H. 2547. To repeal Act No. 210, H. 164, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 240), entitled, "An Act To provide for and regulate the compensation of county engineers of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census."

Also:

By Messrs. Mims and Warren:

H. 2548. To repeal Act No. 288, H. 935, approved, August 27, 1963 Regular Session 1963 (Acts 1963, p. 732), as amended, entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,350; providing additional expense allowances for members of the board of education of such counties."

Also:

By Messrs. Mims and Warren:

H. 2549. To repeal Act No. 37, H. 106, approved October 29, 1965, Third Special Session 1965 (Acts 1965, p. 251), entitled, "An Act To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 22,350 nor more than 24,000 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act."

Also:

By Messrs. Mims and Warren:

H. 2550. To repeal Act No. 541, S. 595, approved Septemoer 7, 1967, Regular Session 1967 (Acts 1967, p. 1291), entitled, "An Act To provide an expense account for coroners in counties having populations of not less than 22,372 nor more than 24,000 in lieu of all fees he now receives."

JOHN W. PEMBERTON,  
Clerk.



## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2486, 2487, 2496, 2497, 2507, 2508, 2509, 2522, 2523, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549 and 2550. To the Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mims and Warren:

H. 2551. To repeal Act No. 196, S. 425, approved August 8, 1967, Regular Session 1967 (Acts 1967, p. 561), entitled, "An Act To apply only in counties having populations of not less than 22,350 nor more than 24,350, fixing the compensation of the chairman and members of the court of county commissioners, board of revenue, or other like governing body of any such county."

Also:

By Messrs. Mims and Warren:

H. 2552. To repeal Act No. 231, H. 153, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 317), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax collector and for payment of his compensation by the county, repealing conflicting laws."

Also:

By Messrs. Mims and Warren:

H. 2553. To repeal Act No. 232, H. 154, approved September 2, 1964, Special Session 1964 (Acts 1964, p. 318), entitled, "An Act To apply in counties having populations of not less than 22,350 nor more than 24,350, providing for the appointment of a clerk by the tax assessor and for payment of his compensation by the county, repealing conflicting laws."

Also:

By Messrs. Mims and Warren:

H. 2554. To repeal Act No. 168, H. 154, approved July 30, 1965, Regular Session 1965 (Acts 1965, p. 235), entitled, "An Act Relating to counties having populations of not less than 22,350 nor more than 24,350, according to the most recent federal decennial census; providing for payment of expense allowances for the chairman and members of the county governing body and imposing additional duties upon such county officers."

Also:

By Messrs. Mims and Warren:

H. 2556. To repeal Act No. 144, H. 450, approved July 10, 1963, Regular Session 1963 (Acts 1963, p. 519), entitled, "An Act Relating

to counties having populations of not less than 22,350 nor more than 24,500; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services."

Also:

By Messrs. Mims and Warren:

H. 2555. To repeal Act No. 213, H. 167, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 242), entitled, "An Act To authorize and direct the board of education of any county having a population of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census, to reimburse the county superintendent of education any sums expended by him in payment of premiums on surety bonds covering certain employees of the board of education."

Also:

By Messrs. Mims and Warren:

H. 2557. To repeal Act No. 313, H. 743, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 344), entitled, "An Act To provide for payment of salaries of deputy sheriffs from the highway and traffic funds of all counties having populations of not less than 22,350 nor more than 24,500."

Also:

By Messrs. Mims and Warren:

H. 2558. To repeal Act No. 351, H. 873, approved August 10, 1965, Regular Session 1965 (Acts 1965, p. 487), entitled, "An Act To authorize the Director of Conservation to open a season in counties having a population of not less than 22,350 nor more than 24,500, for the hunting of female deer or unantlered male deer."

Also:

By Messrs. Mims and Warren:

H. 2559. To repeal Act No. 211, H. 166, approved August 1, 1961, Regular Session 1961 (Acts 1961, p. 241), entitled, "An Act To provide clerical assistance for clerks of circuit courts of all counties having populations of not less than 22,350 nor more than 24,350, according to the last or any subsequent federal decennial census."

Also:

By Messrs. Mims and Warren:

H. 2561. To repeal Act No. 516, H. 1150, approved August 20, 1965, Regular Session 1965 (Acts 1965, p. 759), entitled, "An Act Relating to all counties having populations of not less than 22,350, nor more than 24,350 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties."

Also:

By Mr. Williams:

H. 2607. To fix the salary to be paid the Tax Collector of Jackson County, Alabama and the salary to be paid the Tax Assessor of Jackson

County, Alabama, to provide the amounts of such salary for each of said officers, to provide for the employment of clerical assistants and the necessary expenses to operate said offices, and to provide for the payment of any fees, commissions or allowances received by such officers in the discharge of their official duties to the County Treasury of Jackson County, Alabama, which Act shall change the method of compensation of the Tax Collector and Tax Assessor of Jackson County, Alabama from the fee system to salary and to provide the effective date of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

### NOTICE

Notice is hereby given that at the present or at a future session of the Legislature of Alabama, application will be made for the passage of the following local legislation by the Legislature of Alabama, which shall be in substantially the following form.

### AN ACT

To fix the salary to be paid the Tax Collector of Jackson County, Alabama and the salary to be paid the Tax Assessor of Jackson County, Alabama, to provide the amounts of such salary for each of said officers, to provide the amounts of such salary for each of said officers, to provide for the employment of clerical assistants and the necessary expenses to operate said offices, and to provide for the payment of any fees, commissions or allowances received by such officers in the discharge of their official duties to the County Treasury of Jackson County, Alabama, which Act shall change the method of compensation of the Tax Collector and Tax Assessor of Jackson County, Alabama from the fee system to salary and to provide the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. From and after the effective date of this Act, the Tax Collector of Jackson County, Alabama and the Tax Assessor of Jackson County, Alabama shall receive a salary as compensation for the performance of their official duties, which salary shall be Twelve Thousand and 00/100 (\$12,000.00) Dollars, per annum, for the Tax Collector of Jackson County, Alabama and Twelve Thousand and 00/100 (\$12,000.00) Dollars, per annum, for the Tax Assessor of Jackson County, Alabama, to be paid out of the County Treasury of Jackson County, Alabama, in equal monthly installments at the end of each month in the same manner as other salaried officers of Jackson County, Alabama are paid.

Section 2. From and after the effective date of this Act, the Tax Collector of Jackson County, Alabama and the Tax Assessor of Jackson County, Alabama shall continue to collect all legal fees, commissions or allowances authorized by law to be collected by them and they shall pay the same over to the County Treasury upon the expiration of each month.

Section 3. The Jackson County Commission or like governing body is required, authorized and empowered to provide to each of said officers sufficient clerks and assistants for the performance of the duties of said office, but the clerks or assistants employed shall be selected by and shall serve at the pleasure of the Tax Collector and Tax Assessor. The Jackson County Commission is authorized, required and empowered to fix the compensation of said clerks or assistants, which salaries or compensation of said clerks or assistants shall also be paid in equal monthly installments out of the County Treasury of Jackson County,

Alabama in the same manner as other employees of Jackson County, Alabama are paid.

Section 4. The Jackson County Commission shall provide the Tax Assessor and Tax Collector with the necessary supplies with which to operate said offices.

Section 5. The salary provided herein for the Tax Collector and the Tax Assessor of Jackson County, Alabama shall be in lieu of all fees, compensation and allowances heretofore allowed and paid to the Tax Collector and Tax Assessor of Jackson County, Alabama.

Section 6. All laws or parts of laws in conflict herewith are expressly repealed.

Section 7. The provisions of this Act are severable. Should any part of this Act be declared invalid, such declaration shall not affect the remaining parts thereof.

Section 8. This Act shall become effective upon the expiration of the term of office of the incumbent Tax Collector and upon the expiration of the term of office of the incumbent Tax Assessor of Jackson County, Alabama, and the approval of a Constitutional Amendment introduced at the regular session of the Legislature of Alabama, 1971 as House Bill 1149.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared James K. Harkness, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Sentinel, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 13, July 20, July 27, and August 3, all in the year 1971.

JAMES K. HARKNESS,

Sworn to and subscribed before me August 14, 1971.

ANN K. PORTER,  
Notary Public.

Also:

By Mr. Barkett:

H. 2613. To repeal Act No. 554, H. 1124, Regular Session 1969 (Acts 1969, p. 1038), entitled "An Act To regulate further the times and places of registering voters in counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census."

Also:

By Mr. Barkett:

H. 2614. To apply only in counties having populations of not less than 52,500 nor more than 54,000; Relating to the board of registrars; further regulating the days, hours, and places of its meetings, and the

compensation of its members; requiring forfeiture of certain compensation for violations, repealing conflicting laws and specifically repealing Act No. 128, H. 366, Regular Session 1969 (Acts 1969, p. 403).

Also:

By Mr. Headley:

H. 2619. To apply in counties having populations of not less than 25,150 nor more than 26,500; to provide for the reimbursement payment of certain expenses for the Judge of the County Court, or Law and Equity Court, or Juvenile Court, or Intermediate Court, or other Court of like jurisdiction for attending conferences for Continuing Legal Education.

Also:

By Mr. Williams:

H. 2620. Relating to counties having populations of not less than 38,100 nor more than 40,500; providing further for the annexation of territory by certain municipalities in said counties.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2551, 2552, 2553, 2554, 2556, 2555, 2557, 2558, 2559, 2561, 2607, 2613, 2614, 2619 and 2620. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Gray (F):

H. 2183. To amend further Act No. 102, H. 237, Regular Session 1935 (Local Acts 1935, p. 38), which relates to the selection of the superintendent of education and prescribes his duties, qualifications, compensation and term of office, so as to provide further for his compensation.

With notice and proof thereto attached and herewith exhibited as follows:

#### PUBLIC NOTICE

#### STATE OF ALABAMA COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To amend further Act No. 102, H. 237, Regular Session 1935 (Local Acts 1935, p. 38), which relates to the selection of the superintendent of education and prescribes his duties, qualifications, compensation and term of office, so as to provide further for his compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 102, H. 287, Regular Session 1935 (Local Acts 1935, p. 38), which relates to the selection of the superintendent of education and prescribes his duties, qualifications, compensation and term of office, is hereby further amended to read as follows:

"Section 4. Such county superintendent of education shall devote his entire time to the public schools of Macon County and shall receive not less than \$14,000 nor more than \$20,000 annually. He shall be paid at the time and in the manner provided by the general laws of the state for the payment of the salaries of county superintendents of education."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the The Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 8, July 15, July 22, and July 29, all in the year 1971.

NEIL O. DAVIS.

Sworn to and subscribed before me August 9, 1971.

ALICE M. WHITE,  
Notary Public.

Also:

By Mr. Gray (F):

H. 2184. To abolish the criminal and quasi-criminal jurisdiction of justices of the peace and notaries public ex officio justice of the peace elected or appointed for any precinct in Macon County, and transferring such jurisdiction to the Inferior Court of Macon County.

With notice and proof thereto attached and herewith exhibited as follows:

## PUBLIC NOTICE

STATE OF ALABAMA  
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To abolish the criminal and quasi-criminal jurisdiction of justices of the peace and notaries public ex officio justice of the peace elected or appointed for any precinct in Macon County, and transferring such jurisdiction to the Inferior Court of Macon County.

Be It Enacted by the Legislature of Alabama:

Section 1. All criminal and quasi-criminal jurisdiction of whatever kind, is hereby withdrawn and taken away from justices of the peace and notaries public with powers of justices of the peace within the limits of Macon County. All criminal and quasi-criminal jurisdiction heretofore invested in and exercised by justices of the peace and notaries with powers of justices of the peace within the boundaries of the county is hereby vested in the Inferior Court of Macon County. Nothing in this Act shall affect any case or proceeding pending on the effective date of this Act.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

## PROOF OF PUBLICATION

STATE OF ALABAMA  
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 27, June 3, June 10, and June 17, all in the year 1971.

NEIL O. DAVIS.

Sworn to and subscribed before me June 17th, 1971.

ALICE M. WHITE,  
Notary Public.

Also:

By Mr. Gray (F):

H. 2187. Relating to counties having populations of not less than 24,500 and no more than 25,000, according to the most recent decennial census; authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

Also:

By Mr. Gray (F):

H. 2188. To repeal Act No. 114, H. 216, approved July 7, 1965; entitled, "Relating to counties having populations of not less than 26,600 nor more than 26,800 inhabitants according to the 1960 or any subsequent decennial census of the United States; authorizing the governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire." (Acts, 1965, Regular Session, Volume 1, p. 174).

Also:

By Mr. Gray (F):

H. 2189. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 24,500 nor more than 25,000, according to the last or any subsequent decennial census of the population of the United States.

Also:

By Mr. Gray (F):

H. 2190. To repeal Act No. 146, H. 446, approved, August 1, 1961; entitled, "To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 25,750 nor more than 27,000 according to the last or any subsequent decennial census of the population of the United States." (Acts 1961, Vol. 1, P. 189.)

Also:

By Mr. Gray (F):

H. 2191. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; providing for deputy sheriff and the minimum amount and payment of their compensation.

Also:

By Mr. Gray (F):

H. 2193. To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than 24,500 nor more than 25,000, according to the most recent federal decennial census.

Also:

By Mr. Gray (F):

H. 2194. To repeal Act No. 691, S. 512, approved September 1, 1965; entitled, "To fix the compensation of the judge and the solicitor of the inferior court of any county having a population of not less than



26,000 nor more than 27,000 according to the most recent federal decennial census." (Acts 1965, Regular Session Volume II, p. 1284).

Also:

By Mr. Gray (F):

H. 2195. Relating to counties having populations of not less than 24,500 and not more than 25,000, according to the most recent decennial census; providing an additional monthly mileage allowance for members of the governing body, including the chairman, of such counties.

Also:

By Mr. Gray (F):

H. 2196. To repeal Act No. 216, H. 669, approved July 25, 1969; entitled, "Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body, of such counties to be used in attending certain conventions." (Acts 1969, Regular Session, Volume I, p. 535.)

Also:

By Mr. Gray (F):

H. 2197. Relating to all counties having populations of not less than 24,500 nor more than 25,000, according to the most recent decennial census; to regulate the salaries of the jailers in said counties, payable out of the general funds of the county.

Also:

By Mr. Smith (P):

H. 2268. To repeal Act No. 482, S. 602, Regular Session 1969, approved August 19, 1969, entitled "An Act To permit the governing body of any county having a population of not less than 65,000 nor more than 95,000, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality."

Also:

By Mr. Smith (P):

H. 2269. To repeal Act No. 965, S. 336, Regular Session 1961, approved September 9, 1961, entitled "An Act Relating to powers of county governing bodies of counties having populations of not less than 62,000 nor more than 92,000, according to the 1960 or any subsequent federal decennial census; authorizing appropriations of county funds to provide ambulance service for the sick and infirm."

Also:

By Mr. Smith (P):

H. 2270. To permit the governing body of Talladega County, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality; and to permit the providing of such service by contract or otherwise.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To permit the governing body of Talladega County, or any municipality within such county to establish within the county, or within the municipality, ambulance service; to permit the county governing body to unite with any municipality within the county in the establishment of such service, making it common for the use of the county and of the municipality; and to permit the providing of such service by contract or otherwise.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Talladega County, and any municipality within such county, may establish within the county, or within the municipality, ambulance service for the reception and conveyance of the sick, infirm or injured, and may make all needful rules and regulations for the control and management thereof. The county governing body and any municipality within the county may unite in the establishment of such ambulance service, if deemed expedient, making it common for the use of the county and of the municipality, and in making of rules and regulations for the control and management thereof, and shall jointly have the same powers and authority above conferred upon each.

Section 2. The governing body of any such municipality or the county may make an appropriation or appropriations out of their respective treasuries to aid in maintaining such service for the benefit of the public.

Section 3. The governing body of any such municipality or of the county may contract for such ambulance service, and may pay out funds directly for any such services as may be rendered with the approval, of any such governing body.

Section 4. Any ambulance service established under the provisions of this act may pick up or discharge patients beyond the boundaries of the municipality or county.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Charles H. Greer, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA NEWS a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made

in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: July 15 1971, July 22 1971, July 29 1971, August 5 1971.

CHARLES H. GREER.

Subscribed and sworn to before me this 6th day of August 1971.

VELERA R. PAYNE,  
Notary Public.

Also:

By Mr. Smith (P):

H. 2271. To provide an additional fee for recording change of ownership of motor vehicles in Talladega County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

To provide an additional fee for recording change of ownership of motor vehicles in Talladega County.

Be It Enacted by the Legislature of Alabama:

Section 1. An additional fee of twenty-five cents (25c) shall be charged by the judge of probate of Talladega County, or such other officer performing the duties of the probate judge, for recording the change of ownership of an automobile or other motor vehicle, as provided by Section 706, Title 51, Code of Alabama 1940, as amended. All such additional fees, upon collection, shall be paid into the same fund as other fees collected by said officer.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This act shall become effective on the first day of the first month next following the date of its passage and approval by the Governor, or upon its otherwise becoming law.

THE STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Charles H. Greer, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA NEWS a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made

in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: July 15 1971, July 22 1971, July 29 1971, August 5 1971.

CHARLES H. GREER.

Subscribed and sworn to before me this 6th day of August 1971.

VELERA R. PAYNE,  
Notary Public.

Also:

By Mr. Smith (P):

H. 2272. Relating to Talladega County; permitting the governing body of the county to provide for a judicial building; providing for the location in such building of certain judicial and law-enforcement officers; and providing for the holding of county and circuit court in such building.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Talladega County: permitting the governing body of the county to provide for a judicial building; providing for the location in such building of certain judicial and law-enforcement officers; and providing for the holding of county and circuit court in such building.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply only to Talladega County.

Section 2. The governing body of Talladega County may provide for a judicial building to be located at the county seat, separate and apart from the courthouse.

Section 3. If such judicial building is provided for in such county, the circuit court of the county and the northern division of the county court shall be held in such judicial building, and there shall be located therein the offices of the circuit judges, the district attorney, the circuit clerk, the register, and the sheriff.

Section 4. This bill shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Charles H. Greer, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA NEWS a newspaper published in said County, and that the publication of a

certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: July 15 1971, July 22 1971, July 29 1971, August 5 1971.

CHARLES H. GREER.

Subscribed and sworn to before me this 6th day of August 1971.

VELERA R. PAYNE,  
Notary Public.

Also:

By Mr. Smith (P):

H. 2273. Relating to Talladega County: Providing for the reidentification of all registered voters; directing the Board of Registrars to purge the list of registered voters; providing a penalty for willfully making a false statement in connection with reidentification; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA  
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Talladega County: Providing for the reidentification of all registered voters; directing the Board of Registrars to purge the list of registered voters; providing a penalty for willfully making a false statement in connection with reidentification; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply only to Talladega County.

Section 2. The Board of Registrars is hereby directed to purge all lists of the registered electors in the county to the end that the names of all who are deceased or non-residents of the county or have otherwise become disqualified from voting therein, shall be removed from such lists and to the end that the name of each registered elector shall appear only on the list of registered electors for the precinct and district in which he or she resides.

Section 3. The Board of Registrars shall omit and remove from the list of registered electors of the county the name of any person who fails to reidentify himself or herself in one of the ways herein-after provided before the first day of January, 1975, provided that no one who registers to be a qualified elector of the county after the effective date of this act shall be required to reidentify himself or herself.

Section 4. A voter may reidentify himself in any one of the following ways:

(a) A voter may reidentify himself or herself by appearing in person before the Board of Registrars at any session of the said board or at the office of the Judge of Probate or at any place in the county as the Judge of Probate may provide and answering such questions and submitting such proof as may be required to establish the voters identity and place of legal residence and that the voter has not become disqualified from voting in the county.

(b) A voter may also reidentify himself or herself at any election prior to January 1, 1975, by answering and signing the questionnaire hereinafter provided for in the presence of an election officer who shall sign the questionnaire as an attesting witness. The returning officer shall transmit each completed questionnaire to the Judge of Probate who shall receive and verify it as a proper record of the reidentification of the voter.

(c) A voter who is on active duty in the Army, Navy or Air Force of the United States or the spouse or child of a member of the Armed Forces on active duty may also reidentify himself or herself by filling in and mailing to the office of the Judge of Probate the completed answers to such questions as are set forth in the questionnaire hereinafter detailed, and the voter's signature to such questionnaire must be witnessed by a commissioned officer of the Army, Navy or Air Force.

The questionnaire shall be in substantially the following form:

**VOTERS  
REIDENTIFICATION  
QUESTIONNAIRE**

Talladega County, Alabama

Date: 19

Name: (First), (Middle) (Last)

Legal Residence Address—  
(Street or Route)

City or Town:

State:

Date of Birth:—Sex—

I now vote and I am a registered elector in Precinct or Beat No. , District No. and vote at (Name of Voting Place).

I have not been disqualified from voting in the county by conviction of a disqualifying crime or otherwise.

I now reside in Precinct or Beat No. , District No. , and have so resided for the past three months.

I hereby certify that the information as herein given is true and correct.

Signed: (Signature of Voter)

State of Alabama

County of—

Subscribed and sworn to before me this the day of , 19 .

Registrar-Judge of Probate-Election Official—Commissioned Officer of U. S. Armed Forces.

Section 5. The Judge of Probate is directed to furnish the Board of Registrars within 30 days after January 1, 1975, the names of all registered electors who have failed to reidentify themselves as required under the provisions of this act and said Board of Registrars is directed to remove said names as authorized in Section Three of this act.

Section 6. Any registered elector of the county who shall have his or her name mistakenly omitted or removed from the list of registered electors under the provisions of this act, shall be entitled to have his or her name restored to the list of registered electors by submitting proof to the Judge of Probate that his or her name had been stricken in error.

Section 7. Any registered elector of the county who shall have his or her name omitted or removed from the list of registered electors by failure to appear and reidentify himself or herself as herein provided shall be entitled to have his or her name restored to the list of registered electors by appearing in person at the office of the Judge of Probate and reidentifying himself or herself in the manner hereinabove provided.

Section 8. Any person who willfully makes a false statement in answer to the reidentification questionnaire or who fraudulently files a completed questionnaire with the Board of Registrars or the Judge of Probate shall be guilty of perjury and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years.

Section 9. The governing body of the county is hereby authorized and directed to furnish the Judge of Probate the supplies, printed forms, clerical help, newspaper advertisements and all necessary expense for the reidentification of voters as herein provided.

Section 10. This act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

Section 11. All laws and parts of laws which conflict with this act, and in particular, Act Number 36, 1955 Regular Session (1955 Acts, page 254), are hereby repealed.

THE STATE OF ALABAMA  
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County, Charles H. Greer, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA NEWS a newspaper published in said County, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit, in the issues hereof dated as follows: July 15 1971, July 22 1971, July 29 1971, August 5 1971.

CHARLES H. GREER.

Subscribed and sworn to before me this 6th day of August 1971.

VELERA R. PAYNE,  
Notary Public.

Also:

By Messrs. Naramore and Crowe:

H. 2340. To provide for an increase in salary for the janitors employed at the County Courthouse in all counties having a population of not less than 55,500 nor more than 56,500 according to the most recent federal decennial census.

Also:

By Messrs. Naramore and Crowe:

H. 2341. To amend the Title and Section 1 of Act No. 131, H. 141, Special Session 1965 (Acts Special Session 1965, v. I, p. 183) which provides for the appointment of a clerk by the register of the Circuit Court and for payment of such clerk's salary by the county in certain counties classified on a population basis.

Also:

By Messrs. Cauthen and Slate:

H. 2344. To repeal Act No. 1002, S. 822 approved September 12, 1969, an Act relating to the compensation of certain county officers, allowance for clerical assistance for board of equalization, jury commission, and board of registrars, and the supplemental salaries of certain officers of circuit court (Acts of Alabama Special and Regular Sessions 1969 vol. III, p. 1875).

Also:

By Messrs. Cauthen and Slate:

H. 2345. To repeal Act No. 368, H. 406 approved September 12, 1966, an Act relating to all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census; regulating the salaries of the members of the jury commission (Acts of Alabama Special Session 1966, p. 508).

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2183, 2184, 2187, 2188, 2189, 2190, 2191, 2193, 2194, 2195, 2196, 2197, 2268, 2269, 2270, 2271, 2272, 2273, 2340, 2341, 2344 and 2345. To the Committee on Local Legislation No. 1.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Goodwin and Reynolds:

H. 2641. To provide further for the compensation to be paid commissioners in cities having a population of not less than 8,500 nor more than 9,000 according to the most recent federal decennial census.

Also:

By Messrs. Goodwin and Reynolds:

H. 2642. To provide further for the compensation of city commissioners in cities having a population of not less than 12,700 nor more than 13,115 according to the most recent federal decennial census.



Also:

By Mr. Smith (P):

H. 2646. To establish a merit system for the City of Talladega; to regulate the appointment, removal, demotion, tenure and official conduct of all positions and officials of the city and of all its boards and commissions, with certain exceptions; to empower the city council to organize all functions of the city into departments; to provide that the mayor shall be personnel director of the city; to establish a citizens' merit advisory board and to provide for its duties; to require the city council to adopt rules and regulations for operation of the merit system; to forbid certain political activities by certain city employees; to provide penalties for violating the provisions of this act.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To establish a merit system for the City of Talladega; to regulate the appointment, removal, demotion, tenure and official conduct of all positions and officials of the city and of all its boards and commissions, with certain exceptions; to empower the city council to organize all functions of the city into departments; to provide that the mayor shall be personnel director of the city; to establish a citizens' merit advisory board and to provide for its duties; to require the city council to adopt rules and regulations for operation of the merit system; to forbid certain political activities by certain city employees; to provide penalties for violating the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. Applicability. This act shall apply only to the city of Talladega.

Section 2. Division Into Exempt And Classified Services. All offices and positions of the city shall be divided into the exempt service and the classified service. The exempt service shall include: all publicly elective offices; the positions of voluntary personnel and personnel appointed to serve without pay; the positions of consultants rendering temporary professional employment; all positions of attorneys rendering legal service; all positions held by members of boards and commissions of the city, whether or not a salary is paid for such position; the offices of city clerk and city recorder; the positions of all department heads and assistant department heads which may be provided for by the city governing body; and the position of executive assistant to the mayor if such position is provided for by the city governing body. The classified service shall include all offices and positions and employees of the city and of all its boards and commissions not specifically excluded herein.

Section 3. Exemption. The city board of education, and all offices and positions of such board, including all employees thereof, are exempted from the provisions of this Act, except that members of the board shall be included in the exempt service.

Section 4. Merit Principle. All appointments and promotions within the classified service shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence.

All appointments and promotions, in both the exempt and classified services shall be made without regard to sex, race, religion, or political affiliation.

Section 5. Departments. The city council shall by ordinance divide all functions of the city government, including that of all boards and commissions, into departments, which ordinance may be amended from time to time. Until changed by such ordinance, those departments in being on the effective date of this Act shall continue as the departments of the city. For such departments as it may deem desirable, the council may by ordinance provide for an assistant head of the department. So long as a police department is maintained as a separate department, the head and assistant head of the department, appointed by the mayor, shall serve respectively as chief and assistant chief of the police department. So long as a fire department is maintained as a separate department, the head and assistant head of the department, appointed by the mayor, shall serve respectively as chief and assistant chief of the fire department. If the functions of the water and sewer board are divided into more than one department, the mayor shall serve as superintendent of the water and sewer board without additional pay therefor. If the functions of the water and sewer board are carried out under one department, the head of such department, appointed by the mayor, shall serve as superintendent of the water and sewer board without additional pay therefor.

Section 6. Personnel Director. The personnel system of the City shall be administered by the mayor. He shall make all appointments in the classified service, in accordance with ordinances adopted by the city council effecting the purposes of this Act. The mayor shall appoint all heads of department, and all assistant heads of department, for all such positions as may be authorized by ordinance of the city council. No council member shall have authority to give orders or instructions to any member of the classified service or to any member of the exempt service appointed by the mayor, in the performance of their duties as a member of such service.

Section 7. Merit Advisory Board. (a) There shall be a merit advisory board consisting of nine members appointed by the city council. The term of each member shall begin November 1, 1971, and the members shall be divided into three classes. The terms of the first class, consisting of three members, shall expire on December 31, 1973; the terms of the second class, consisting of three members, shall expire on December 31, 1974; and the terms of the third class, consisting of three members, shall expire on December 31, 1975. After the expiration of the first term of each class, all terms of office shall be three years. All vacancies on the board shall be filled by appointment by the city council.

(b) (1) The merit advisory board shall be broadly representative of all segments of Talladega, geographically, socially, racially, and otherwise. Members must be qualified electors of the city and resident in the city. No member of the board shall hold any other office or place of employment with the city or with any of its boards or commissions; provided, however, that three members shall be members of the classified service of the city. Not less than three members shall be members of racial minority groups in the city.

(2) Each bona fide civic club, chamber of commerce, civic service organization, city garden club federation, veterans' organization, city ministerial association, labor union local, and any other similar bona fide organization in the city the purpose of which is to promote the welfare of the city or of some substantially large group of its residents,

except religious, social or political organizations, or organizations affiliated with the school system of the city, is entitled to make one nomination to the merit advisory board, but no such nominee shall be an employee of the city. Six members of the board shall be appointed from among such nominees if nominations are made in sufficient numbers to meet the other requirements of this subsection (b). The city council shall have sole authority to determine from time to time what organizations may make nominations hereunder. Any qualified organization may change or renew its nomination from time to time and each nomination remains active until revoked or changed by the organization making it.

(3) Members of the classified service shall nominate six of themselves as members of the merit advisory board, and the city council shall appoint three of such nominees to the board. Upon any vacancy by a board member so appointed, members of the classified service shall nominate two of themselves to fill such vacancy, of which one shall be appointed by the council; provided, however, that the council may require the submission of additional nominations to fill such vacancy if necessary to meet the other requirements of this subsection (b).

(c) Members of the merit advisory board shall serve without compensation, but the city council shall provide for all reasonable and necessary actual expenses of the board. The board shall elect from its members a chairman, a vice-chairman, and a secretary. Secretarial and administrative services shall be provided the board through the office of the mayor. The board shall meet as often as may be necessary to effectuate the purposes of this act. Five members shall constitute a quorum.

(d) In addition to the duties otherwise set forth herein, the merit advisory board shall (1) advise the mayor and city council on matters of personnel administration, including the development of personnel rules, a job classification plan, and a systematic pay plan; (2) represent the public interest in the improvement of personnel administration in the city service; (3) make any inquiry it deems advisable concerning personnel administration in the city service; and (4) make recommendations to the mayor and city council with respect to any of the foregoing duties.

**Section 8. Rules, Classification, Pay Plans.** The mayor, with the advice of the merit advisory board, shall from time to time prepare personnel rules and amendments thereto to apply to all members of the classified service of the city and shall propose them to the city council. The council shall by ordinance adopt them with or without amendment. Such rules may be amended by ordinance from time to time by the council upon its own initiative, with the advice of the mayor and advisory board. These rules shall provide for:

(1) The classification of all city positions, based on the duties, authority and responsibility of each position, with adequate provision for reclassification of any position whenever warranted by changed circumstances;

(2) A pay plan for all city positions;

(3) Methods for determining the merit and fitness of candidates for appointment or promotion;

(4) The policies and procedures regulating reduction in force and removal of employees;

(5) The hours of work, attendance regulations and provisions for sick and vacation leave;

(6) The policies and procedures governing persons holding provisional appointments;

(7) The policies and procedures governing relationships with employee organizations;

(8) Policies regarding in-service training programs;

(9) Grievance procedures, including procedures for the hearing of grievances by the merit advisory board, which may render advisory opinions based on its findings to the mayor with a copy to the aggrieved employee; and

(10) Other practices and procedures necessary to the administration of the city personnel system.

Section 9. Removal from Office. (a) Any officer or employee in the exempt service subject to appointment by the mayor shall serve at the pleasure of the mayor.

(b) The city council, upon notice and hearing, may remove, by a two-thirds vote of all those elected to the council, any member of the exempt service, including appointees of the mayor, for incompetency, malfeasance, misfeasance, or nonfeasance, in office and for conduct detrimental to good order or discipline, including habitual neglect of duty. Any person so removed shall not be eligible for further appointment to the exempt service for a period of five years.

(c) For purposes of carrying out the provisions of this Section 9, the city council, or a committee thereof duly authorized by resolution, may summon witnesses and compel their attendance and compel witnesses to testify and produce books and papers, and may punish them by imprisonment, not exceeding ten days, for failure to attend or refusal to testify or produce books or papers. The presiding officer of the council, or of the committee, may administer oaths to such witnesses. During a session of the council, or of a committee, held for such purpose any person who is guilty of disorderly or contemptuous behaviour in the presence of the council, or the committee, may be punished by the council or committee, by arrest and imprisonment not exceeding twenty-four hours. Such a committee may require any city employee to act as secretary of such committee.

(d) Any member of the classified service shall be removed from office or disciplined in any manner only upon notice and hearing, for incompetency, malfeasance, misfeasance, or nonfeasance in office and for conduct detrimental to good order or discipline, including habitual neglect of duty. Any member of the classified service aggrieved by a decision concerning disciplinary action taken against him shall be entitled to a hearing before the merit advisory board in accordance with rules and regulations for such hearings adopted by ordinance of the city council, and the merit advisory board shall make recommendations to the mayor concerning such cases. In making any recommendation to the mayor, the advisory board must make a finding of the facts upon which it bases its recommendations. The advisory board may, in its discretion recommend any alternative courses of action to that proposed by the department head concerning such employee. Final determination of any disciplinary action applied to a member of the classified service shall be made by the mayor, subject to this Act and the applicable ordinances adopted pursuant thereto. Pending such hearing and recommendations, and subject to merit system rules adopted by the council pursuant to this Act, the mayor may temporarily suspend any member of the classified service who is removed or suspended for cause by order of a department head, if the mayor deems it in the best interest of the city.

Section 10. Political Activities. (a) No member of the classified service shall be an officer of a political party or hold political office during his employment. No member of the classified service shall be a candidate for nomination or election to any public office, or shall take any part in the management or affairs of any political party or candidate or in any political campaign.

(b) No person shall solicit or receive any assessments, contributions, or services, for any political party or candidate from any member of the classified service. No member of the classified service shall, directly or indirectly, pay or promise to pay any assessment, subscription, or contribution for any political organization or candidate, or solicit or take any part in soliciting any such assessment, subscription, or contribution.

(c) Nothing herein contained shall affect the right of a member of the classified service to hold membership in, and support, a political party, to vote as he chooses, to express privately his opinions on all political subjects and candidates, to maintain political neutrality, and to attend political meetings.

Section 11. Employee Organizations. Nothing in this Act shall be construed to deny members of the classified service the right to organize, join, and participate, or to refuse to organize, join, and participate, in any lawful employee organization freely and without fear of penalty or reprisal, for the purpose of collective negotiation through representatives of their own choosing on terms and conditions of employment. No member of the classified service shall be disciplined or discriminated against in any manner whatsoever because of membership or non-membership in any such lawful organization.

Section 12. Miscellaneous Provisions. (a) The city recorder shall be a person licensed to practice law in the State of Alabama unless the council, by a two-thirds vote, provides by resolution that such qualification need not apply.

(b) All members of the city water and sewer board, or of any utility board of the city, appointed hereafter must be members of the city council, who shall receive no fees or remuneration whatsoever in the performance of such duties; provided, however, that the reasonable and necessary actual expenses of each member in the performance of such duties may be reimbursed based solely upon itemized statements of all expenses so incurred.

(c) The city clerk and city recorder shall be elected by the city council as provided for by law, and their terms of office shall be in accordance with the general municipal laws applicable to the city.

(d) The executive assistant to the mayor, if such position is provided for by the city governing body, shall be appointed by the mayor, and the city attorney shall be appointed by the mayor with the approval of the council.

(e) All boards and commissions of the city provided for by law shall be appointed by the city council.

(f) Either the council or the mayor, or both jointly, may appoint advisory or study boards or commissions on any matter involving the welfare of the city. Members of all such boards and commissions shall serve without remuneration.

Section 13. Transitional Period. (a) During the period of time from the effective date of this Act through December 31, 1971, no city employee holding a position of employment with the city for one year

or more shall be discharged or otherwise disciplined except for cause, upon notice and hearing; provided, however, that during such period of time any employee may be removed from any particular position if he is offered any other place of employment with the city or with any of its boards or commissions.

(b) Applicable general municipal laws of Alabama concerning the appointment and removal of city officials including but not limited to the police chief, fire chief, city clerk and city recorder, shall remain in full force and effect for the city of Talladega through the third day of October, 1971.

(c) During the period of time from October 4, 1971 through December 31, 1971, all appointments of city officials except the city clerk and city recorder shall be made by the mayor with the approval of the city council, and all positions of employment with the city, including positions of employment with all boards and commissions, shall be filled by appointment of the mayor with the approval of the council. During such period of time any officer or employee of the city not subject to the provisions of subsection (a) of this section may be removed or discharged only by the mayor with the approval of the city council, or by a two-thirds vote of the city council.

(d) Employees holding positions in the classified service on January 1, 1972, who have held a position of employment with the city for one year or more immediately prior to such date shall be continued in their respective positions without further examination, until separated from their positions as provided by law. Those holding their positions less than one year immediately prior to such date shall serve a probationary period as prescribed by the merit system rules adopted pursuant to this Act with or without further examination as may be prescribed by such rules.

(e) All members of boards and commissions on the effective date of this section shall continue in office until the expiration of their term of office or until the occurrence of any event which removes them from office by operation of law, and until the appointment of their successors as provided for in this Act.

(f) During the period of time from the date of its appointment until December 31, 1971, the merit advisory board shall organize itself as provided for in section 7 (c) of this Act and shall exercise its duties as provided for only in section 7 (d) (1) of this Act. During such period of time it shall not have any jurisdiction over grievances of employees.

**Section 14. Unlawful Acts Prohibited.** (a) No persons shall make any false statement, certificate, mark, rating or report with regard to any test, certification or appointment made under any provision of this law or in any manner commit or attempt to commit any fraud preventing the impartial execution of this law and policies. (b) No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service or other valuable consideration for any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the classified service.

**Section 15. Penalties.** (a) Any person who willfully violates any provision of this law or of the policies shall be guilty of a misdemeanor, punishable by imprisonment not to exceed six months, and a fine not to exceed \$500.00. (b) Any person who is convicted of a misdemeanor under this law, shall, for a period of five years, be ineligible for appointment to or employment in a position in the exempt or classified service, and if he is an officer or employee of the city, shall forfeit his office or position.

Section 16. Form of Government Change. In the event the city adopts a commission form of government, all separate powers, duties, and responsibilities assigned under this Act to the mayor or to the city council shall become the powers, duties, and responsibilities of the commission as a whole.

Section 17. Severability. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, the remainder of the Act shall continue in full force and effect.

Section 18. Repealer. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 19. Effective Date. Sections 1, 3, 13, 14, 15, 16, 17, 18 and 19 of this Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law. Sections 5, 7, 8 and 12 of this Act shall become effective on October 4, 1971. Sections 2, 4, 6, 9, 10 and 11 shall become effective on January 1, 1972.

#### PROOF OF PUBLICATION

##### STATE OF ALABAMA

##### COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Janette M. Vincent, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Clerk of the Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 7-30, 8-3, 8-10, and 8-17, all in the year 1971.

JANETTE M. VINCENT.

Sworn to and subscribed before me August 17, 1971.

JANET COLLINS,  
Notary Public.

Also:

By Messrs. Connell and Crawford:

H. 2651. To provide for and prescribe the form of government of all cities having populations of not less than 35,000 nor more than 37,000.

Also:

By Messrs. Connell and Crawford:

H. 2653. Relating to all counties having populations of not less than 56,500 nor more than 59,000 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Also:

By Mr. Stubbs:

H. 2654. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

With notice and proof thereto attached and herewith exhibited as follows:

#### LEGAL NOTICE

Notice is hereby given in accordance with Article 4, Section 106, Constitution of Alabama, that application will be made to the Legislature of Alabama for enactment of a local law applicable to the City of Alabaster in substance as follows:

#### A BILL TO BE ENTITLED AN ACT

To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein.

Be It Enacted by the Legislature of Alabama:

Section 1. To alter, re-arrange and extend the boundaries and corporate limits of the City of Alabaster so as to incorporate certain territory as described herein, to-wit:

Begin at the Northeast corner of the Northwest Quarter of the Northeast Quarter of Section 34, Township 20 South, Range 3 West, Shelby County, Alabama; thence run in a Southerly direction along the center line of the Northeast Quarter and the Southeast Quarter of said Section 34, a distance of 5,307.72 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter of Said Section 34; thence run in a Westerly direction along the South line of said Southwest Quarter of Southeast Quarter a distance of 1,319.23 feet to the Southwest corner of said Southwest Quarter of Southeast Quarter; thence run in a Northerly direction along the center line of said Section 34 a distance of 5,311.56 feet to the Northwest corner of the Northwest Quarter of the Northeast Quarter of said Section 34; thence run in an Easterly direction along the North line of said Northwest Quarter of Northeast Quarter a distance of 1,335.57 feet to the point of beginning; situated in Shelby County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

#### THE STATE OF ALABAMA SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who, being duly sworn, according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed,



has been made in said newspaper 4 weeks consecutively, to wit in issues thereof dated as follows: June 17, 24, July 1, 8, 1971.

MILDRED WALLACE,  
Associate Editor.

Subscribed and sworn to before me this 18th day of Aug., 1971.

CONRAD M. FOWLER,  
Judge of Probate.

Also:

By Mr. Barkett:

H. 2659. To provide for the compensation for a member of the county commission elected or appointed as chairman of the county commission in any county having a population of not less than 52,500 nor more than 54,000 according to the most recent federal decennial census.

Also:

By Mr. Barkett:

H. 2660. To amend the title and Section 1 of Act 149, H. 627, Regular Session 1969, (Acts 1969, p. 426), which provided for compensation and expense allowance for the county governing body in certain counties classified on a population basis.

Also:

By Messrs. Carter and Cross:

H. 2665. Providing for the distribution of fines and forfeitures from convictions in certain cases of traffic violations in Limestone County.

Also:

By Messrs. Bassett and Hardin:

H. 2667. To repeal Act No. 40, H. 63, approved March 4, 1970, Special Session 1970 (Acts 1970, p. 2662), entitled, "An Act to permit banks having principal place of business in cities having a population according to the most recent federal decennial census of not less than 10,230 nor more than 10,260 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such city in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of general banking and trust business, by and with the written consent of the state superintendent of banks."

Also:

By Messrs. Bassett and Hardin:

H. 2668. To amend the title and Section 1 of Act No. 568, H. 904, Regular Session 1967 (Acts 1967, p. 1322) which authorizes the boards of education to purchase sites for, construction, erect and equip and operate technical and special schools within city school systems in certain counties classified on a population basis.

Also:

By Messrs. Bassett and Hardin:

H. 2669. To amend the title and Section 1 of Act No. 556, H. 540, Regular Session 1967 (Acts 1967, p. 1312) which provides that the Board of Education is authorized to expend public school funds for the purpose of purchasing a site and providing suitable and adequate office facilities for the county superintendent of education and the central office staff in certain counties classified on a population basis.

Also:

By Messrs. Bassett and Hardin:

H. 2670. To repeal Act No. 38, H. 63, approved March 16, 1965, Special Session 1965 (Acts 1965, p. 58) as amended entitled, "An Act To provide for the payment of an expense allowance to members, including the Chairman or Ex-officio Chairman, of the Board of Revenue, Court of County Commissioners or other like governing body of all counties having a populations of not less than 25,800 nor more than 26,700, according to the last or any subsequent federal decennial census."

Also:

By Messrs. Bassett and Hardin:

H. 2671. To amend the title and Section 1 of Act No. 720, H. 1235, Regular Session 1965 (Acts 1965, p. 1325) which provides an expense allowance for the superintendent of education in certain counties classified on a population basis.

Also:

By Messrs. Bassett and Hardin:

H. 2672. To amend the title and Section 1 of Act No. 858, H. 1180, Regular Session 1969 (Acts 1969, p. 1564) which regulates the compensation of members of the county board of education in certain counties classified on a population basis.

Also:

By Messrs. Bassett and Hardin:

H. 2673. To amend the title and Section 1 of Act No. 146, H. 446, Regular Session 1961 (Acts 1961, p. 189) which regulates the compensation of bailiffs for the grand jury and bailiffs actually serving in court in certain counties classified on a population basis.

Also:

By Messrs. Bassett and Hardin:

H. 2674. To amend the title and Section 1 of Act No. 602, H. 1162, Regular Session 1961 (Acts 1961, p. 713) which fixes the compensation of the coroner in certain counties classified on a population basis.

Also:

By Messrs. Bassett and Hardin:

H. 2675. To repeal Act No. 110, H. 426, approved June 27, 1963, Regular Session 1963 (Acts 1963, p. 490), entitled, "An Act To regulate the compensation of members of the county board of education in

counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census."

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2641, 2642, 2646, 2651, 2653, 2654, 2659, 2660, 2665, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674 and 2675. To the Committee on Local Legislation No. 1.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Barkett:

H. 2615. Relating to certain offices and officers of Dale County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

With notice and proof thereto attached and herewith exhibited as follows:

### A BILL TO BE ENTITLED AN ACT

Relating to certain offices and officers of Dale County; changing the mode of compensation of such officers; placing such officers on a salary basis, subject to the ratification of a constitutional amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Dale County shall receive compensation as follows:

(a) For the Judge of Probate, an annual salary of \$18,000.00.

Section 2. Such salaries are to be the entire compensation received by any of the above county officers for his services and shall be in lieu of all fees, commissions, allowances, percentages and other charges heretofore paid to any such officer, and shall be paid in equal monthly installments out of the general fund of the county.

Section 3. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of said officers, shall hereafter be collected and paid into the general fund of the county.

Section 4. The governing body of Dale County shall provide each of the above officers with such office personnel, clerks, deputies, and such quarters, books, stationery, furniture, equipment and other such conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices.

Compensation of any personnel so provided shall be fixed by said governing body and shall be paid in equal monthly installments out of the general fund of the county.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective January 1, 1974, as to each officer named herein, provided an amendment to the Constitution of Alabama authorizing the Legislature to so regulate the compensation of such officers has been ratified and proclaimed as prescribed by law.

STATE OF ALABAMA  
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on July 22, July 29, Aug. 5, and Aug. 12, 1971.

JOSEPH H. ADAMS.

Sworn to and subscribed before me on this the 19th day of August, 1971.

CELESTE A. WOODS,  
Notary Public.

Also:

By Mr. Barkett:

H. 2616. To consolidate and combine the offices of circuit clerk and register in equity for Dale County; and to provide compensation for such office subject to the ratification of a constitutional amendment.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

To consolidate and combine the offices of circuit clerk and register in equity for Dale County and to provide compensation for such office, subject to the ratification of a constitutional amendment.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the effective date of this act, the circuit clerk of Dale County shall become the ex-officio register in equity for said county, and all powers and duties of the register shall be conferred on and shall be exercised by the circuit clerk of Dale County.

Section 2. The circuit clerk of Dale County shall receive an annual salary of \$8,400.00, which shall be his entire compensation for his

services. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of the register in equity and the circuit clerk shall be paid into the general fund of the county.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective on the first day of the month next following the month in which an amendment to the Constitution of Alabama authorizing the legislature to combine such offices is ratified and proclaimed as prescribed by law.

#### STATE OF ALABAMA

#### DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on July 22, July 29, Aug. 5, and Aug. 12, 1971.

JOSEPH H. ADAMS.

Sworn to and subscribed before me on this the 19th day of August, 1971.

CELESTE A. WOODS,  
Notary Public.

Also:

By Mr. Barkett:

H. 2617. Relating to the ownership of oil, gas, and other mineral rights in Dale County; providing for the recordation of all instruments creating the same, and prescribing certain limitations and restrictions respecting grants, conveyances, and ownership of such rights.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the ownership of oil, gas, and other mineral rights in Dale County; providing for the recordation of all instruments creating the same, and prescribing certain limitations and restrictions respecting grants, conveyances, and ownership of such rights.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only to Dale County.

Section 2. All instruments creating separate or special interests respecting the ownership of, or the right to extract, mine, or remove oil, gas, or other minerals from land, whether such interests be real or personal property, shall be recorded in the county in which the land is located, or the same shall be inoperative and void as against purchasers, mortgagees, and judgment creditors without notice.

Section 3. In all grants, conveyances, and reservations of oil, gas or mineral rights, whether the same is made by deed, lease, or other contract, if no provision is made as to when the oil, gas, or other minerals shall be extracted, mined, or removed the owner or holder of such rights shall have ten years in which to make such extractions or removal. If the instrument specifies that the owner or holder of such rights shall have a reasonable time to extract, mine, or remove the oil, gas, or other minerals, ten years shall be deemed a reasonable time.

Section 4. The title to all oil, gas, or other minerals not extracted, mined, or removed from the land within ten years from the date of the deed, lease, or other instrument by which such rights were created, or at the expiration of the period agreed upon by the parties, shall revert to the owner of the land surface, unless it be otherwise provided in the deed, lease, or other instrument.

Section 5. Actual or constructive possession of the surface and the assessment and payment of taxes on land containing oil, gas, or other minerals, by the surface owner, or by those under whom he claims his title, constitutes such adverse possession of the minerals as will ripen into title when continued for five years, if such rights are not exercised and separately assessed for taxation and the taxes due thereon paid by the owner or holder thereof during such period, unless the surface owner himself, or his predecessor in title, is bound by the term of a deed, lease, or other contract to pay taxes on the mineral interest.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. The provisions of Sections 1, 2, and 3 of this Act shall be applicable only to deeds, leases, or other instruments executed after the effective date hereof.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA  
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on July 22, July 29, Aug. 5, and Aug. 12, 1971.

JOSEPH H. ADAMS.

Sworn to and subscribed before me on this the 19th day of August, 1971.

CELESTE A. WOODS,  
Notary Public.

Also:

By Mr. Barkett:

H. 2618. Relating to Dale County; prohibiting the sale of alcoholic beverages in certain places.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Dale County; prohibiting the sale of alcoholic beverages in certain places.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, firm, or corporation to sell or offer for sale any spirituous, vinous, or malt brewed beverages in Dale County except within the corporate limits of an incorporated municipality with a population of not less than 1,000 according to the most recent decennial census.

Section 2. Any person, firm, or corporation who violates any provision of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished as prescribed by law.

Section 3. This Act shall become effective upon the approval of the legal sale of alcoholic beverages by the qualified voters of Dale County.

STATE OF ALABAMA  
DALE COUNTY

Before me the undersigned authority in and for said County and State, personally appeared Joseph H. Adams, who, being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper for once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on July 22, July 29, Aug. 5, and Aug. 12, 1971.

JOSEPH H. ADAMS.

Sworn to and subscribed before me on this the 19th day of August, 1971.

CELESTE A. WOODS,  
Notary Public.

JOHN W. PEMBERTON,  
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 2615, 2616, 2617 and 2618. To the Committee on Local Legislation No. 1.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 213. Making an appropriation from the Alabama Special Educational Trust Fund for capital outlay purposes in regard to vocational rehabilitation.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 737. To amend the Title and Section 1 of Act No. 414, H. 944, approved August 16, 1965 (Acts of Alabama 1965 Regular Session p. 603), an act relating to all counties having populations of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; requiring the county governing body to provide for the microfilming of records required to be recorded in the office of the judge of probate, the register, and circuit clerk.

Also:

By Mr. Harris:

S. 738. To amend the Title and Section 1 of Act No. 668, S. 787, approved August 29, 1969 (Acts of Alabama 1969 Special and Regular Sessions, Volume II, p. 1203), an act relating to compensation of members of county board of registrars in all counties having populations of not less than 57,000 nor more than 61,000.

Also:

By Mr. Harris:

S. 739. To amend the Title and Section 1 of Act No. 115, H. 191, approved August 19, 1966 (Acts of Alabama 1966 Special Session p. 147), an act relating to creating the office of commissioner of licenses in all counties having populations of not less than 57,000 nor more than 61,000.

Also:

By Mr. Harris:

S. 740. To amend the Title and Section 1 of Act No. 597, H. 644, approved September 8, 1967 (Acts of Alabama 1967 Organizational Special Regular Sessions of Volume II, p. 1382), an act relating to regulating the compensation of jurors serving in certain courts in counties having populations of not less than 57,000 nor more than 61,000.

Also:

S. 741. To amend the Title and Section 1 of Act No. 221, H. 734, approved August 9, 1965 (Acts of Alabama 1965 Regular Session, Volume I, p. 310), an act relating to counties in the state having a population of not less than 57,000 nor more than 61,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use



of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein designate in each territory a voting center at which the qualified prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

JOHN W. PEMBERTON,  
Clerk.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. McCluskey:

H. 1864. To provide for the regulation of the construction of water wells, to provide a system of reporting information concerning the drilling of water wells and results, to provide for the licensing of water well drillers, to provide for the promulgation and publication of rules and regulations to effectuate the provisions of this Act, creating a board to be known as the Alabama Water Well Standards Board, to provide for the qualification, appointment and removal of board members and the filling of vacancies and fixing their tenure of office, and providing penalties for violation of this Act.

Also:

By Mr. Merrill:

H. 2076. To amend Act No. 470 Regular Session of 1969, Vol. I, page 912, so as to exempt state institutions of higher learning under the control of boards of trustees from having to secure approval of the Governor for out-of-state travel.

Also:

By Messrs. Casey and Gloor:

H. 2458. To amend Code of Alabama, 1940, Title 5, Section 131, so as to authorize and approve the use of automatic unmanned cash dispensing machines by banks on each day of the week including Sunday.

Also:

By Messrs. Pruitt, Manley, McCorquodale, Callahan, Collins, Brassell, St. John, Naramore and Boutwell:

H. 2367. To amend further Section 89 of Title 36, Code of Alabama (1940), as last amended, which limits the size and weight limits of motor vehicles and loads, and prescribes exemptions therefrom.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1864, 2076 and 2367. To the Committee on Commerce, Transportation and Common Carriers.

H. B. 2458. To the Committee on Banking.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Culver, Robertson, Parker (T) and Bank:

H. J. R. 185. WHEREAS Mr. Harold I. James who has worked diligently and effectively in the field of vocational education in the State of Alabama for over thirty years, is widely recognized throughout the South for his competent leadership and broad experience within the field; and

WHEREAS Mr. James has served in many capacities in vocational education. In 1951, he was appointed director of Shelton State Technical Institute at Tuscaloosa, was subsequently appointed to numerous committees by former governors including Governor George Wallace's committee for locating sixteen new vocational trade schools, and has served as consultant for several southern states in the establishment of their vocational trade school programs; and

WHEREAS Mr. James currently serves on the Committee of Occupational Education of the Southern Association of Colleges and Schools, serves on its Policy Committee, is co-chairman of its Standing Committee on Public Information, and was appointed to its Executive Committee by the Delegate Assembly of the Southern Association of Colleges and Schools at its annual meeting in Dallas, Texas in December of 1969; and

WHEREAS Mr. James is not only an effective administrator but he is also thoroughly knowledgeable in every practical aspect of vocational education. It is largely through his efforts that a quality vocational education program has been implemented and its true value recognized; and

WHEREAS the Shelton State Technical Institute has been designated a numerical controlled machine center to serve the entire state, and plans have been made to expand the present building which houses the Mechanical Drafting Technology Department and the Machine Shop Department with the help of the Machine Shop Advisory Craft Committee and interested personnel of industry, Mr. James was able to obtain such substantial additional funds for housing Numerical Control Technology that upon completion this complex of mechanical technology will constitute one of the largest in any technical vocational school anywhere in the State of Alabama or the Southeast; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That in recognition of the many contributions that Mr. James has made to vocational education, and as a tribute to his continuing and untiring efforts in fostering better

education for young people in Alabama that the new complex at Shelton State Technical Institute shall be named, designated and known as the Harold I. James Mechanical Technology Building.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 185, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Owens:

H. J. R. 186. NAMING H. B. 198 "THE TIMMONS AND LYBRAND INSURANCE ACT."

WHEREAS Representative Robert D. Timmons and Senator Fred Ray Lybrand did devote unlimited time and personal dedication to H. B. 198 and the passage thereof.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That H. B. 198 be known hereafter as, "The Timmons and Lybrand Insurance Act."

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 186, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Waldrop, Coshatt, Casey, Edwards, Smith (K), Adams, Mims, Crawford, Barkett, Wynot, Flipppo, Hill, Boutwell, Falkenburg, Gloor, Wallace, Waggoner, McBride, Hearn, King, St. John, Cauthen, Parker (T), Weeks, Stewart, Manley, Warren, Wise, Jackson, Benton, Connell, Brassell, Cottingham, Carnes, Chesnut, Baker, Cross, Hale, Naramore, Snell, Grey (D), Reid (R), Goodwin:

H. J. R. 180. COMMENDING REPRESENTATIVES PHIL SMITH AND MURRAY P. McCLUSKEY FOR THEIR HOSPITALITY SHOWN TO THE MEMBERS OF THE LEGISLATURE ON SUNDAY, AUGUST 22, 1971, AT THE TALLADEGA 500 STOCK CAR RACE.

WHEREAS Representatives Phil Smith and Murray P. McCluskey, along with their wives and friends who helped with the refreshments and entertainment, Mrs. Catherine Smith, Mrs. Betty Ann McCluskey,

Mrs. Mavis Caldwell and Mr. Andy Hamilton, furnished the members of the Legislature with a day of much needed relaxation at the Talladega 500 Stock Car Race; and

WHEREAS Representatives Phil Smith and Murray P. McCluskey unselfishly devoted much of their time to make this outing a success; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we thank our colleagues Phil Smith and Murray P. McCluskey, and their wives and friends, for the many courtesies and favors, and the warm hospitality, so generously accorded the members of the Legislature during our visit to Talladega, Sunday.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Representatives Phil Smith and Murray P. McCluskey, and Mrs. Catherine Smith, Mrs. Betty Ann McCluskey, Mrs. Mavis Caldwell and Mr. Andy Hamilton.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 180, set out in the foregoing Message from the House, was read and ordered to lay over on the Secretary's desk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Downing, Stokes, Wood, Perloff, Callahan, Therrell, Lyons, Collins:

H. J. R. 181. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state institution in Mobile, now designated as the Mobile State Junior College, shall be hereafter designated and known as the S. D. Bishop State Junior College.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The Resolution, H. J. R. 181, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. St. John and Merrill:

H. 1873. To establish a Study Commission on Alabama's Judicial System; to prescribe its powers, functions, purposes and duties; to provide for the membership and officers of said Commission; to authorize such Commission to conduct studies and make recommendations pertaining to the judicial system and the administration of justice in Alabama.

Also:

By Messrs. Hill, Flipppo, Ellis, Fite, Lutz, Grainger, Baker, Taylor, Crowe, Smith (P), Stokes, Straiton, Cauthen, Harris, McCluskey, Gray (F), Boutwell, Reed (T), Nettles, Casey, St. John, Cross, McDonald, Falkenburg, Doss and Erdreich:

H. 342. To provide further for the management of the trial courts of the State and the continual improvement thereof; to establish a State Department of Court Management, to prescribe its powers, functions and duties; to provide for its officers and employees; to authorize such department to conduct studies, projects and functions designed to improve the administration of justice, the courts and continuing legal and judicial education and to authorize the use of the services of any member of the judiciary in connection therewith; to authorize county governing bodies to provide for or assist in providing for court management departments, projects and studies and to provide or assist in providing continuing legal and judicial education to judges and other court officers and employees; to place certain duties on the Chief Justice of the Alabama Supreme Court; and to make appropriations to carry out the provisions of this act.

Also:

By Mr. Drake:

H. 2317. To amend Section 11 of Act No. 674 of the 1961 Regular Session of the Legislature so as to increase the fee charged for an inspection marker for motor vehicles and to provide for the disposition of the proceeds therefrom.

Also:

By Messrs. Williams, Hobbie, Cauthen, Slate, Robertson, Wood, Lyons, Turner, Flipppo, Carter, Culver, Cross, McCorquodale, Pruitt, Crowe, Naramore, Headley, Jackson, Stubbs, Baker, Chesnut and Bank:

H. 1021. To provide for the retirement of employees under the State Retirement System who have obtained the age of 50 and have at least 30 years service and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Also:

By Messrs. Flipppo, Manley, Grainger, Carter and Bassett:

H. 593. To amend Sections 435, 438, 439, 440 and 445 of Title 51 of the Code of Alabama of 1940 so as to change the time for certain acts with respect to estates of decedents dying after the effective date of this Act.

Also:

By Messrs. Drake, McCluskey, Smith (P), Chesnut and Williams:

H. 461. To amend Title 13, Section 241, Code of Alabama, 1940, pertaining to expenses of district attorneys outside of their home counties.

Also:

By Messrs. Falkenburg, Wood, Hill, Perloff, Taylor, Harris, Jones (F), Straiton, Carnes, Erdreich, Doss, Timmons and Parker (H):

H. 73. To amend Act No. 526, S. 352 of the 1963 Regular Session (Acts of 1963, Volume 2, p. 1136), which provides for and regulates the appointment of counsel for indigent defendants at the expense of the state in certain cases, so as to provide for counsel in certain additional cases, to regulate further the fees and compensation of counsel appointed hereunder and to provide further for annual appropriations to carry out the purposes of the Act.

Also:

By Messrs. Falkenburg, Wood, Hill, Perloff, Taylor, Harris, Jones (F), Straiton, Carnes, Erdreich, Doss, Timmons and Parker (H):

H. 74. To amend Act No. 60, H. 218, Second Special Session 1965, which levies and provides for the collection of the "fair trial tax" upon criminal and quasi criminal cases: Amending the title, and Sections 1, 2, 3, 4 and 6, so as to make the tax applicable to suits at law and in equity, prescribe certain duties for registers of equity courts relative to the tax, to regulate further cases which are excepted from the operation of the act; to authorize and regulate payment to those counties which maintain public defenders offices of a part of the expense thereof out of the process of the fair trial tax, and to provide that the unexpended balance in the fair trial tax fund shall not be paid into the state general fund but shall be retained in the fair trial tax fund and thereafter used for fees of appointed counsel and aid to the counties in maintaining public defender's offices.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committees, as follows:

H. B.'s 1873, 342, 593, 73 and 74. To the Committee on Judiciary.

H. B.'s 2317, 1021 and 461. To the Committee on Commerce, Transportation and Common Carriers.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following Bill:

By Mr. McDonald:

H. 2152. To provide the maximum time price differential that may be charged by certain persons under revolving charge agreements; to regulate extensions of credit under revolving charge agreements and to provide penalties for violation of this Act.

And sends same herewith to the Senate for its consideration.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 2152. To the Committee on Commerce, Transportation and Common Carriers.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 702. To provide for the regulation, control, abatement and prevention of air pollution in the State of Alabama; to provide for a declaration of purpose and policy relative to air quality; to provide for definitions; to establish an air pollution control commission; to provide for the establishment of rules and regulations to promote the purposes of this Act; to provide the powers and duties of the air pollution control commission; to provide the procedures for adopting rules and regulations relative to the purposes of this Act; to provide for emergency procedures in the event of a threat to human health or safety; to provide penalties for violations of this Act; to provide for the enforcement of the rules and regulations relative to the purposes of this Act; to provide for variances; to provide for the establishment of local air pollution control programs; to repeal Act No. 1135, Acts of Alabama, Regular Session, 1969, page 2100, establishing the Alabama Air Pollution Control Commission.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 442. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is \$100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of \$100.00 and does not exceed the sum of \$500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof; to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary; to provide for the abolishment of the Jefferson County Court of General Sessions; to provide for the transfer of all pending cases and records of the said court to the court created by this Act. ....

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 363. To confer on the Probate Courts in all counties of this State which now have or may hereafter have a population of 500,000 or more, according to the latest or any subsequent Federal census, general jurisdiction and authority, concurrent with that of the Circuit Courts, in Equity, of this State in the administration of estates and for other and additional matters of which the Probate Courts have original or general jurisdiction, in addition to those conferred by Act No. 633, page 1000, General Acts of the 1939 Regular Session; and to confer on the Judges of Probate Courts of such counties the same powers and authority which judges of the Circuit Court now have with respect to the aforesaid; to determine ownership of funds paid to the Probate Court as awards under Eminent Domain proceedings (Title 19, Section 27, Code of Alabama of 1940, as amended); to determine the reinvestment of such funds of minors and non compos mentis persons, and to determine the disposition of funds of a patient of the State Hospitals for Mental Patients which have been paid to the Judge of Probate; to provide for the pleading, practice and procedure in such matters, and for the assessment and collection of fees, commissions and costs of court for the performance of the duties authorized by this act.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 307. To provide for the compensation to be paid the First Deputy District Attorney, the Second Deputy District Attorney, the Third Deputy District Attorney, the Fourth Deputy District Attorney, the Fifth Deputy District Attorney, the Sixth Deputy District Attorney, the Seventh Deputy District Attorney, the Eighth Deputy District Attorney, the Deputy District Attorney appointed by the District Attorney to serve in any Inferior Criminal Court, County Criminal Court or County Misdemeanor Court now or hereafter created, the additional Deputy District Attorney provided for and authorized in Act No. 338, H. 881, Regular Session 1967, approved September 1, 1967, the Deputy District Attorney appointed by the District Attorney to serve in any Juvenile Court or Family Court, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said act shall go into effect.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 685. To amend Section 94, Subsection (1) of Title 51, Code of Alabama 1940, as heretofore amended, which fixes the term of service



and compensation of members of the Board of Equalization and Adjustments, in those counties in which the total assessed value of all taxable property, using the year 1955 as the basis, exceeds six hundred million dollars (\$600,000,000).

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 736. TO AMEND ACT NUMBER 134 OF THE 1965 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA (ACTS OF ALABAMA REGULAR SESSION 1965, PAGE 201) APPROVED JULY 7, 1965, ENTITLED "AN ACT TO AUTHORIZE THE MAYOR OF ANY CITY OF THIS STATE HAVING A POPULATION OF 300,000 PERSONS OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL CENSUS TO EMPLOY FOR AND IN BEHALF OF SAID CITY A CHIEF ADMINISTRATIVE ASSISTANT TO THE MAYOR TO SERVE AT THE PLEASURE OF THE MAYOR."

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 404. Relating to the Tenth Judicial Circuit, Bessemer Division providing for the appointment, duties, and compensation of one additional Assistant Deputy District Attorney in such Circuit.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 405. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 675. Defining abandoned motor vehicles, authorizing peace officers to remove abandoned motor vehicles from public streets, roads, highways and other public property; to provide a method for sale of abandoned motor vehicles; to provide for the distribution of the proceeds of the sale of abandoned motor vehicles and for related purposes.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1697. To fix the compensation or salary of the assistant judges of probate or deputy probate judges of any branch office of the Probate Court in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and provide for payment thereof.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1510. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance for the judge of inferior court to be set by the county commissioner of said counties.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1085. To amend further Section 2 of Act No. 695, H. 1072, Regular Session 1951, an act relating to the registration and purgation of voters in counties having populations of 400,000 or more (Acts 1950-1951, v. 2, p. 1198).

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 1509. Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decen-

nial census; to provide for an annual expense allowance for the assistant district attorney of the inferior court of such counties.

JOHN W. PEMBERTON,  
Clerk.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Stewart, Waldrop, Reid (R), Therrell, Burgess, Erdreich, Doss, Roberts, Smith (P), Flipppo, Carnes, Hale, Robertson, Parker (T), Straiton, Coshatt, Wood, Stokes and Smith (K):

H. 762. To be known as the "Consumer Protection Bill," prohibiting the commission of certain fraudulent and deceptive practices; creating the Alabama Consumer Council and providing for the membership and powers thereof; creating, within the Department of Agriculture and Industries, a Division of Consumer Services and prescribing the duties thereof; providing for administration and enforcement of the Act by the Commissioner of Agriculture and Industries and by the Attorney General, respectively; providing penalties; providing appropriations.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 762. To the Committee on Commerce, Transportation and Common Carriers.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Crowe and Naramore:

H. J. R. 162. Honoring the City of Jasper.

Also:

By Messrs. Grainger, King, Hearn, Lutz and Hale:

H. J. R. 164. Commending Mr. L. C. McMillan.

Also:

By Messrs. Bassett and Hardin:

H. J. R. 166. Commending and Congratulating Honorable Marvin Dodson.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

The Resolutions, H. J. R.'s 162, 164 and 166, the titles of which are set out in the foregoing Message from the House, were read and ordered to lay over on the Secretary's desk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gloor:

H. J. R. 179. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, THAT When the two Houses adjourn today, they adjourn to come back on Tuesday, August 31, 1971.

JOHN W. PEMBERTON,  
Clerk.

## HOUSE MESSAGE

On Motion of Mr. Pelham, the Rules were suspended and the Resolution, H. J. R. 179, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

## FURTHER CONSIDERATION OF S. B. 122

The Senate proceeded to further consideration of the Bill, S. B. 122, as amended. The question was on the motion of Mr. Vacca that the Senate reconsider the vote by which the Harris amendment was adopted, and the Senate did reconsider said vote.

And the amendment offered by Mr. Harris to the Bill, S. B. 122, as amended, was then lost.

Yeas 2; Nays 25.

Yeas: Messrs. Cooper, Fine

—2

Nays:

Messrs.:	Edington	Jones	Pelham
Bailes	Foshee	King	Pierce
Branyon	Gilmore	Lindsey	Register
Clark	Givhan	Littleton	Vacca
Cook	Hammond	Lybrand	Weaver
Dominick	Hawkins	Owen	Wilder
Dozier	Horne		

—25

Mr. Harris then offered the following amendment to the Bill, S. B. 122, as amended, to-wit:

## AMENDMENT TO S. B. 122 AS HERETOFORE AMENDED

1. Amend Section 2 so as to read as follows:

"Section 2. The maximum finance charge for any loan or forbearance and for any credit sale (except under open end credit plans) may equal but may not exceed the greater of the following:

## (a) The Total of:

(i) \$15 per \$100 per year for the first \$500 of the original principal amount of the loan or amount financed,

(ii) \$10 per \$100 per year for that portion of the original principal amount of the loan or original amount financed exceeding \$500 and not exceeding \$1,000, and

(iii) \$8 per \$100 per year for that portion of the original principal amount of the loan or original amount financed exceeding \$1,000; and not exceeding \$2,000;

or,

(b) If the original principal amount of the loan or original amount financed exceeds \$2,000, \$8 per \$100 per year of the original principal amount of the loan or amount financed.

The maximum finance charge under paragraphs (a) and (b) shall be determined by computing the maximum rates authorized by paragraphs (a) and (b) on the original principal amount of the loan or original amount financed for the full term of the contract without regard to scheduled payments and the maximum finance charge so determined (or any lesser amount) may be added to the original principal amount of the loan or original amount financed.

If the debt is created under an open end credit plan, the maximum finance charge in connection therewith shall be one and one-half (1-½%) percent per month of the unpaid balance from time to time thereunder.

A creditor, in connection with any credit sale, other than a sale made under an open end credit plan, may contract for and receive a minimum finance charge not in excess of the following amounts: \$4.00 on any credit sale in which the amount financed is \$25.00 or less and \$6.00 on any credit sale in which the amount financed is more than \$25.00. On an open end credit plan, if there is an unpaid balance on the date as of which the finance charge is applied, a creditor may contract for and receive a minimum finance charge in an amount computed at a rate not exceeding \$.50 per month."

Which was adopted.

Yeas 32; Nays 3.

Yeas:

Messrs.:	Foshee	King	Pelham
Bailes	Gilmore	Lindsey	Pierce
Branyon	Givhan	Littleton	Register
Clark	Hammond	Lybrand	Shelby
Cook	Harris	McLain	Vacca
Dominick	Hawkins	Noonan	Weaver
Dozier	Horne	O'Bannon	Wilder
Edington	Jones	Owen	Wilson
Fine			

—32

Nays:

Messrs.:	Carr	Cooper	Malone
----------	------	--------	--------

—3

And said Bill, S. B. 122, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 6.

*Yeas:*

Messrs.:	Gilmore	Lindsey	Pierce	
Branyon	Givhan	Littleton	Register	
Carr	Hammond	Lybrand	Shelby	
Clark	Harris	Noonan	Vacca	
Cook	Hawkins	O'Bannon	Weaver	
Dozier	Horne	Owen	Wilder	
Edington	Jones	Pelham	Wilson	
Foshee	King			—29

*Nays:*

Messrs.:	Cooper	Fine	Malone	
Bailes	Dominick	McLain		—6

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 46. To provide for inspection of certain petroleum products, including those commonly known as gasoline, naphtha, diesel fuel, kerosene and lubricating oil, that are sold, offered for sale, used or stored in the State of Alabama; to provide for the issuance by the Commissioner of Agriculture and Industries of permits for selling, offering for sale, storing or using such petroleum products and to require the making of applications for such permits and payment of a permit fee; to authorize the Board of Agriculture and Industries to establish minimum standards for such petroleum products; to require compliance with such standards; to provide for enforcement of this act, including provisions for maintenance of records and for labeling, sampling and testing such products, provisions prohibiting adulteration thereof, and provisions for penalties for violation of this act; to prohibit the sale, offering for sale, storage or use in this State of petroleum products not meeting the said standards; to impose an inspection fee in respect of each such petroleum product; to provide for the disposition of such inspection fees and any penalties collected under this act; to provide that violation of this act constitutes a misdemeanor; and to repeal Article 21 of Chapter 1 of Title 2 of the Code of Alabama of 1940 and subdivision 2 of Article 26 of the said Chapter 1.

And requests a Committee of Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. McCorquodale, Williams and Drake.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Wilson, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 46, the title of which is set out in the foregoing Message from the House.

Yeas 35; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Hammond	McLain	Vacca
Cooper	Harris	Malone	Weaver
Dominick	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson

—35

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Clark, Fine and Foshee.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 47. To amend Sections 697, 712, and 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions with respect to motor vehicle licenses and registration fees, including provisions respecting the disposition of the proceeds of the said licenses and fees.

And requests a Committee of Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. McCorquodale, Williams and Drake.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

On motion of Mr. Wilson, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 47, the title of which is set out in the foregoing Message from the House.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham
Bailes	Fine	Lindsey	Pierce
Branyon	Foshee	Littleton	Register
Carr	Gilmore	Lybrand	Shelby
Clark	Givhan	McLain	Vacca
Cook	Hammond	Malone	Weaver
Cooper	Harris	Noonan	Wilder
Dominick	Hawkins	O'Bannon	Wilson
Dozier	Jones	Owen	

—34

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Clark, Fine and Foshee.

## REPORT FROM RULES

Mr. Clark, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 145. Creation of a Fine Arts High School.

Mr. Cook offered the following substitute for the Resolution, H. J. R. 145, to-wit:

## SUBSTITUTE FOR H. J. R. 145

## CREATION OF A FINE ARTS HIGH SCHOOL

WHEREAS Governor Lurleen Wallace, from her deep and abiding interest in the cultural development of our State, expressed her desire for the creation of a Fine Arts High School, for the education of the youth of Alabama who show exceptional talent in the Arts; and

WHEREAS for the past four years, such a school has been operated as a pilot project by a group of dedicated Alabama citizens, headed by James Hatcher, Mrs. David Roberts, III, and Mrs. Margaret Reddow Cook; and

WHEREAS State sponsorship is necessary for the continued services so vital to the needs of our talented youth; and

WHEREAS due to limitation of student body to those with career potential and availability of quality professional arts staff limit the State to one such career curriculum; and

WHEREAS the location of such a school could only be in the city in which is located the state's only professional symphony, the state's largest museum, the state theatre and the state ballet; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That formal recognition of the Alabama High School of the Fine Arts be given by both Houses of the Legislature of the State of Alabama, and that the State Superintendent of Education, with the consent of the State Board of Education, appoint a Board of Directors for the Alabama High School of the Fine Arts.

BE IT FURTHER RESOLVED, That said Board of Directors shall be composed of eleven citizens of good standing who have shown themselves to be exponents of the cultural advancement of our youth whose terms shall be as follows: four members of the board shall be appointed for terms of four years, four members shall be appointed for terms of three years, and three members shall be appointed for terms of two years. One member of the Committee shall be a member of the Professional Arts Staff of the State Department of Education; one member shall be a member of the professional staff of the Birmingham Board of Education; one member shall be a member of the faculty of the Cultural Arts Department of the University of Alabama in Birmingham; one member shall be representative of the field of dance; one member shall be representative of the field of music; one member shall be representative of the field of drama; one member shall be representative of the field of the visual arts; one member shall be representative of other cultural arts fields; and three members shall be chosen from the public at large. At the expiration of the terms of the members first appointed, their successors shall be appointed for terms of four years each. The said Board of Directors shall account



to the State Board of Education at the end of each fiscal year for the expenditures of all funds under its jurisdiction and for the operation of said school and shall submit an approved program plan for the next fiscal year.

Which was adopted.

And said Resolution, H. J. R. 145, as thus amended by the substitute, was adopted by the Senate.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 1895. Relating to membership of municipal and volunteer firefighters and police officers in Etowah County, Alabama, in organizations asserting the right to strike; prohibiting participation by firefighters and police officers in any strike against any municipality in Etowah County, Alabama, and prohibiting their membership in any organization that asserts the right to strike against a municipality in Etowah County, Alabama; relating to their right to collective bargaining; and to provide for an arbitration procedure in the event the parties cannot reach an agreement.

And requests a Committee of Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. Waldrop, Carnes and Wynot.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Malone, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1895, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Fine	Lindsey	Pelham	
Bailes	Foshee	Littleton	Pierce	
Cook	Harris	Lybrand	Register	
Cooper	Hawkins	Malone	Shelby	
Dominick	Horne	O'Bannon	Wilder	
Dozier	Jones	Owen	Wilson	
Edington	King			—25

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Malone, Harris and McLain.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 463. To fix the compensation or salary of the Treasurer of all counties having a population of Six Hundred Thousand (600,000) or

more according to the last or any subsequent Federal Census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

And requests a Committee of Conference, and the Speaker of the House has named as a Committee of Conference on the part of the House Messrs. Meeks, Cherner and Boutwell.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

Mr. Bailes moved that the Senate refuse to accede to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 463, the title of which is set out in the foregoing Message from the House.

Mr. Cook moved as a substitute motion that the Senate accede to the request for a Committee on Conference, which motion was adopted.

Yeas 4; Nays 3.

Yeas:

Messrs.:

Cook	Gilmore	Hawkins	Vacca
------	---------	---------	-------

4

Nays:

Messrs.:	Bailes	Dominick	King
----------	--------	----------	------

—3

(The President and Presiding Officer of the Senate ruled that a quorum of the Senate was present and not voting.)

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Messrs. Bailes, Vacca and Cook.

### MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Grainger, Fite, Robertson, Lyons, Downing, McCorquodale, Pruitt, Turner, Easters, Drake and Williams:

H. 1799. To authorize Alabama Public School and College Authority to sell and issue \$10,285,000 aggregate principal amount of additional bonds for capital improvements for public educational purposes, including trade schools and junior colleges; to provide for the details of the said bonds and the public sale thereof; to make an appropriation and pledge, for the prorata payment of the principal of and the interest on the said bonds and the bonds of the Authority that may be issued under Act No. 94 adopted at the 1971 Special Session of the Legislature, from proceeds of the residue of certain excise taxes, and that the appropriation and pledge made in this Act shall be in lieu of that made in the said Act No. 94; to authorize the Authority to pledge for payment of the principal of and interest on the bonds issued under this Act, pro rata with the principal of and interest on the bonds issued

under the said Act No. 94, the moneys so appropriated and pledged in this Act; to provide that the bonds shall be limited obligations of the Authority payable solely out of the funds so appropriated and pledged, and will not create a debt or obligation of the state; to provide that the bonds and the income therefrom shall be exempt from taxation in this state and the bonds may be used to secure deposits of funds of this state and its political subdivisions, instrumentalities and agencies, shall be eligible for the investment of fiduciary funds, and shall constitute negotiable instruments; to authorize the issuance by the Authority or refunding bonds for the purpose of refunding the principal of any of the outstanding bonds theretofore issued by either the Authority or Alabama Education Authority, or both, the expenses of such refunding and any premiums necessary to retire those so refunded; to provide that after payment of the expenses of the issuance of the bonds the proceeds from the sale thereof shall be used to pay for capital improvements for public educational purposes, including trade schools and junior colleges; and to provide that if any portion of this Act should be held invalid, such holding shall not affect the validity of any other portion of this Act.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate standing committee, as follows:

H. B. 1799. To the Committee on Commerce, Transportation and Common Carriers.

#### MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 83. Relative to—Creating a Joint Interim Committee of the Jefferson County Delegations to study the Personnel System for City and County Employees in Jefferson County.

Also:

S. J. R. 86. Relative to—Mourning the death of Honorable Vincent F. Kilborn of Mobile.

Also:

S. J. R. 85. Relative to—Mourning the death of Former Senator Henry H. Mize of Tuscaloosa.

Also:

S. J. R. 91. Relative to—Additional assistants to check the Journals and records of the Senate and House for delivery to the Secretary of State.

JOHN W. PEMBERTON,  
Clerk.

## MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Doss, Gloor, Parker (H), Erdreich, Naramore, Timmons, Stubbs, King, Stewart, Lutz, Hearn, Waldrop, Reid (R), Roberts, Grainger, St. John and Falkenburg:

H. 1253. To amend Section VII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to strengthen abatement and prevention of water pollution; and so as to prescribe procedures to be followed in the event an operator uses explosives in a surface mining operation; so as to strengthen grading requirements of affected land.

Also:

By Messrs. Doss, Parker (H), Gloor, Erdreich, Naramore, Timmons, Stubbs, King, Stewart, Lutz, Hearn, Waldrop, Reid (R), Roberts, Grainger, St. John and Falkenburg:

H. 1254. To amend Section VIII of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to specify additional duties of the inspectors.

Also:

By Messrs. Doss, Gloor, Parker (H), Erdreich, Naramore, Timmons, Stubbs, King, Stewart, Lutz, Hearn, Waldrop, Reid (R), Roberts, Grainger, St. John and Falkenburg:

H. 1255. To amend Section IX of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalty for failure to comply with the conditions of the performance bond.

Also:

By Messrs. Doss, Erdreich, Gloor, Parker (H), Naramore, Stubbs, Timmons, King, Stewart, Lutz, Hearn, Waldrop, Reid (R), Roberts, Grainger, St. John and Falkenburg:

H. 1256. To amend Section XI of Act No. 399, 1969 Acts of Alabama (p. 773) entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to increase the penalties prescribed therein; and to provide for a procedure whereby any citizen of this State may, under certain conditions, seek enforcement of the provisions of this act when those whose duty is to enforce said act fail to do so.

Also:

By Messrs. Doss, Gloor, Stubbs, Erdreich, Naramore, Timmons, King, Stewart, Lutz, Hearn, Waldrop, Reid (R), Roberts, Grainger, St. John and Parker (H):

H. 1252. To amend Section V of Act No. 399, 1969 Acts of Alabama (p. 773), entitled "An Act to provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act" so as to prescribe additional conditions that must be considered before a surface mining permit can be issued.

Also:

By Messrs. Stubbs and Headley:

H. 1788. To enlarge the powers, authority and jurisdiction of the Alabama Public Service Commission, so as to authorize said Commission to issue certificates of public convenience and necessity to radio utility corporations, companies, or persons, firms or associations owning, leasing, managing or operating a radio utility system as defined in the Act; to provide the procedure therefor; to prescribe penalties for violations; to provide an effective date; to repeal conflicting laws; and for other purposes.

JOHN W. PEMBERTON,  
Clerk.

#### HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H. B.'s 1253, 1254, 1255, 1256, 1252 and 1788. To the Committee on Commerce, Transportation and Common Carriers.

## NOTICE IN WRITING

Mr. Dominick offered the following Notice in Writing, to-wit:

## "NOTICE IN WRITING"

"Notice is hereby given that on the next Legislative day motion will be made to add the following new Senate Rules:

## "RULES RELATING TO LOBBYING"

"Rule 67. Those required to register. All persons, except members of the Alabama Legislature, or duly authorized aides designated in writing by such members, who seek to encourage the passage, defeat or modification of any legislation in the Senate or before its committees shall, before engaging in such activity, register with the Secretary of the Senate. Every registrant, in accordance herewith, shall also be required to state the extent of any direct business association or partnership with any current member of the Legislature.

"Rule 68. Method of Registration. Every such person shall register on forms prepared by the Secretary and shall state under oath his name and business address, the name and business address of his principal or principals, the general and specific areas of his legislative interests, and the duration of his agency.

"The Secretary shall publish in the Journal, in tabulation form, a list of those filing the registration statements under this Rule together with the information contained therein.

"No registered lobbyist shall be permitted upon the floor of the Senate while it is in session.

"Rule 69. Registration exception. Any person who, on an isolated basis and without intent to continue beyond a single legislative day, merely appears before a committee or committees of the Senate in his individual capacity, or on behalf of a corporation, partnership or other business entity, with which such person is regularly associated as an employee, officer or partner without receiving additional salary or compensation, other than reasonable and ordinary travel expense, to express support of or opposition to any legislation, and who shall so declare to the Senators or committees with whom he discusses any proposed legislation, shall not be required to register as a lobbyist.

"Rule 70. Obligations of Lobbyist. A lobbyist shall supply facts, information, and opinions of principals to legislators from the point of view from which he openly declares. A lobbyist shall not offer or propose anything to improperly influence the official act, decision, or vote of a legislator.

"A lobbyist, by personal example and admonition to colleagues, shall uphold the honor of the legislative process by the integrity of his relationship with legislators.

"A lobbyist shall not knowingly and willfully falsify a material fact or make any false, fictitious, or fraudulent statement or representation or make or use any writing or document knowing the same contains any false, fictitious, or fraudulent statements or entry.

"Rule 71. Periodic Reports Required. A lobbyist shall submit to the Secretary of the Senate at the end of every tenth legislative day, commencing with the beginning of the session, a signed and certified statement listing all expenditures incurred, the purpose thereof, and

sources from which funds for making such expenditures have come. Within thirty days after the adjournment of the legislature, every lobbyist shall file with the Secretary of the Senate a complete and detailed statement, verified under oath by person making the same, of all expenses paid or incurred in connection with their employment as lobbyist. Said statements shall be rendered in the form provided by the Secretary and shall be open to public inspection.

"Rule 72. Ethics Committee Advisory Opinions. A lobbyist when in doubt about the applicability and interpretation of this Rule in a particular context may submit in writing a statement of the facts involved to the Committee on Standards of Official Conduct and may appear in person before said Committee.

"The Committee on Standards of Official Conduct may render advisory opinions to any lobbyist who seeks advice as to whether or not the facts in a particular case would constitute a violation of these Rules. All opinions shall delete names and be numbered, dated, and published in the Journal of the Senate.

"Rule 73. Compilation of Opinions; List of Lobbyists. The Secretary of the Senate shall keep a compilation of all advisory opinions of the Committee on Standards of Official Conduct as well as a current list of registered lobbyists and their respective reports required under these Rules, all of which shall be open to public inspection.

"Rule 74. Penalties for Violations. Separately from any prosecutions or penalties otherwise provided by law, any person determined to have violated the requirements of this Rule shall be censured, reprimanded, placed on probation or prohibited from lobbying for the duration of the session and from appearing before any committee of the Senate. Said determination shall be made by a majority of the Senate, upon recommendation of the Committee on Standards of Official Conduct. The Committee on Standards of Official Conduct, before making said recommendation, shall conduct a hearing, after notifying the person alleged to have violated this Rule and granting such person an opportunity to appear at the hearing.

"Rule 75. Secretary to Provide Forms. The Secretary shall provide blank affidavits for the convenience of registrants but the burden of compliance nevertheless always shall be upon the person required to register.

"Rule 76. Committees to be Diligent. Committees shall be diligent to ascertain whether those who appear before them in other than an obviously individual capacity have conformed with the requirements of this Rule, and to report violations. No committeeman knowingly shall permit an unregistered lobbyist to be heard."

Which was read and ordered spread upon the Journal.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I submit to you the following appointments as members of the State Personnel Board:

Kyser Wilson, Arifton—For the term expiring March 2, 1975.

James A. Simpson, Birmingham—Reappointment for the term expiring March 2, 1977.

As the above appointments must be confirmed by your Body, I herewith submit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Personnel Board, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Senator L. D. Owen, Bay Minette, Alabama, as a member of the Gulf States Marine Fisheries Commission for the term expiring July 1, 1975.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 24, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Gulf States Marine Fisheries Commission, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Jim Corley, Route 5, Prattville, Alabama, as a member of the Board of Appeals for the Department of Industrial Relations for the term expiring March 28, 1977.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971



## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Appeals for the Department of Industrial Relations, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Farmers' Market Authority:

Dr. Lawrence Crawford, Marion—From the 5th District—For the term expiring February 1, 1976—replacing John DeRamus.

Jesse T. Todd, Birmingham—From the 6th District—For the term expiring February 1, 1976—replacing C. Fred Holle.

E. Herrin Drake, Vinemont Route 2—From the 7th District—For the term expiring February 1, 1976—replacing Howard Brown.

As the above appointments must be confirmed by you, I herewith submit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Farmers' Market Authority, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the State Board of Agriculture and Industries:

## REPRESENTING INDUSTRY:

Hayden McBrayer, 110 Pinetree Drive; Dothan, Alabama—For term expiring in January 1975—From the Third Congressional District.

Harry B. Brock, Jr., 701 South 20th Street; Birmingham, Alabama—For term expiring in January 1975—From the Sixth Congressional District.

J. David Gordon, 305 East Street; Athens, Alabama—For term expiring in January 1975—From the Eighth Congressional District.

## REPRESENTING FARMERS:

William Comer Sims, Selma, Alabama—For term expiring in January 1975—From the Fourth Congressional District.

Thomas H. Miller, Linden, Alabama—For term expiring in January 1975—From the Fifth Congressional District.

Jack Tanner, Route 1, Dora, Alabama—For term expiring in January 1975—From the Seventh Congressional District.

Neal Bryant, Jr., Hollywood, Alabama—For term expiring in January 1975—From the Eighth Congressional District.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Board of Agriculture and Industries, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following named persons as members of the State Docks Advisory Committee:

Teddy Williams, Chatom, Alabama—From the First Congressional District Replacing Albert Evans—For the term expiring September 28, 1975.

W. I. (Red) Bowman, Montgomery, Alabama—Re-appointment--From the Second Congressional District—for the term expiring September 28, 1975.

Milton Adams, Dothan, Alabama—From the Third Congressional District Replacing James S. Clark—For the term expiring September 28, 1975.

Earl Goodwin, Selma, Alabama—From the Fourth Congressional District Replacing Joseph Callaway—For the term expiring September 28, 1975.

James W. Sims, Gordo, Alabama—From the Fifth Congressional District Replacing Clayton Carter—For the term expiring September 28, 1975.

Robert F. McCullough, Birmingham, Alabama—From the Sixth Congressional District Replacing Florin White of the old 6th District and Hugh Daniels of the old 9th District—for the term expiring September 28, 1975.

Senator Robert Wilson, Jasper, Alabama—From the Seventh Congressional District Re-appointment—for the term expiring September 28, 1975.

Gene Warr, Scottsboro, Alabama—From the Eighth Congressional District Re-appointment—for the term expiring September 28, 1975.

Roy Smith, Mobile, Alabama—From Mobile County—Replacing Ralph G. Holberg, Jr.—for the term expiring September 28, 1975.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Docks Advisory Committee, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Robert I. Gulledge, Robertsdale, Alabama, as State Superintendent of Banks for the term expiring February 1, 1975.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment to the State Superintendent of Banks, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Charles A. Rollo, Auburn, Alabama, as The Adjutant General of the State of Alabama with grade of Major General.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment as the Adjutant General of the State of Alabama, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Alabama Alcoholic Beverage Control Board:

C. W. Anderson, Huntsville—For the term expiring February 10, 1973

Frank V. Potts, Florence—Chairman—for the term expiring February 10, 1975.

W. A. Roberts, Eufaula—For the term expiring February 10, 1971, and re-appointment for term expiring February 10, 1977.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Alabama Alcoholic Beverage Control Board, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the State Banking Board:

Tommy Strother, Brundidge, Alabama—For term expiring February 1, 1973 Replacing Noel M. Dowling.

Lawrence Harris, Slocomb, Alabama—For term expiring February 1, 1975 Replacing James H. Hollis, Jr.

Hayse McGahey, Guntersville, Alabama—For the term expiring February 1, 1975 Replacing Norman Pless.

Feagin Ranier, Sylacauga, Alabama—For the term expiring February 1, 1977 Succeeding Mrs. Mary George Waite whose term expired Feb. 1, 1971.

A. M. Grimsley, Jr., Fayette, Alabama—Re-appointment—For the term expiring February 1, 1977.

The above appointments are submitted to you for confirmation or for such action as you may deem right and proper.

Respectfully submitted,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Banking Board, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Paul Kuykendall, Tuscaloosa, Alabama, as a member of the Tuscaloosa City Civil Service Board, for the term expiring May 15, 1977.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment to the Tuscaloosa City Civil Service Board, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Alabama Mental Health Board:

Willard Smith, Eufaula, Alabama—From the 3rd Congressional District succeeding Sim A. Thomas, deceased, for the term expiring September 30, 1975.

Hilliard Aronov, Montgomery, Alabama—From the 2nd Congressional District—replacing Judge Bernard A. Reynolds For the term expiring September 30, 1975.

Jack Nolen, Fayette, Alabama—From the 7th Congressional District—replacing George Metnick—for the term expiring September 30, 1976.

Dr. John W. Davis, Montgomery, Alabama—From the 2nd Congressional District—replacing Dr. John M. Chenault—for the term expiring September 30, 1976.

As these appointments must be confirmed by your Body, I am herewith transmitting them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appoints to the Alabama Mental Health Board, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed the following persons as members of the Alabama Educational Television Commission:

Ned Butler, Tallassee—From the Fourth District, replacing T. T. Martin, for the term expiring June 25, 1979.

Mrs. Gene McLain, (Jerri) Huntsville—Reappointment from the Eighth District, for the term expiring June 25, 1981.

As these appointments must be confirmed by your body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 25, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Alabama Educational Television Commission, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed W. T. Thrash of Birmingham, Alabama, as a member of the Board of Corrections for the State of Alabama, for the term expiring July 17, 1979.

As this appointment must be confirmed by your body, I herewith transmit it to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment to the Board of Corrections for the State of Alabama, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons on the Board of Trustees of Auburn University:

Charles M. Smith, III, Montgomery, Alabama—From the 2nd Congressional District for the term expiring January 1983—replacing John Overton.

Henry Steagall, Ozark, Alabama—From the 3rd Congressional District, succeeding Sim A. Thomas, deceased—for the term expiring January 1975.

R. C. "Red" Bamberg, Uniontown, Alabama—From the Sixth Congressional District Reappointment—for the term expiring in January 1983.

The above appointments are submitted for confirmation or for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees of Auburn University, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

Under the provisions of Act No. 764, Regular Session of the 1969 Legislature, approved September 12, 1969, I have appointed the following as members of the State Forestry Commission:

Roy B. Morgan, Sr., Greenville—For the Term expiring November 5, 1971—replacing Hugh Kaul of Birmingham.

Sidney Bledsoe, Montgomery—For term expiring November 5, 1971—Replacing Sam R. Murphy of Jasper.

C. E. Hornsby, Centreville—For term expiring November 5, 1971—replacing W. B. Herndon of Hatchechubbee.

Grover A. (Al) Gibbs, Troy—For term expiring November 5, 1971, replacing F. Gordon Comer, Jr. Childersburg, Alabama.

Ross Daniels, Montgomery—For term expiring November 5, 1974, Replacing Dr. W. R. Sizemore, of Tallassee.

Mr. Joe McCorquodale, Jr, Jackson—For Term expiring November 5, 1975—replacing Boyd Adams of Daphne, Alabama.

Kelly Sistrunk, Socity Hill, Opelika, Ala.—For term expiring November 5, 1975—replacing Wm. H. Stimpson, of Mobile.

As these appointments, under the provisions of the above mentioned Act, must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Forestry Commission, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following named persons as members of the Board of Trustees of the Alabama Institute for Deaf and Blind:

Tom Wright, Talladega—From the 4th Congressional District—replacing Rev. Andrew W. Tampling—for the term expiring Nov. 28, 1972.

James B. Rowe, Montgomery—From the 2nd Congressional District—replacing W. Tom Jones—for the term expiring November 28, 1974.

Roy Robinson, Talladega—From the 4th Congressional District—replacing Ralph Gaines—for the term expiring November 28, 1976.

H. Wilson Riley, Lineville—From the 5th Congressional District—replacing Edgar Wynn—for the term expiring November 28, 1976.

John Culver, Tuscaloosa—From the 6th Congressional District—replacing Young Boozer—for the term expiring November 28, 1976.

J. C. Bull, Jasper—From the 10th Congressional District—replacing John Oliver—for the term expiring November 28, 1976.

The above appointments were made from the Old Congressional Districts as the law creating the Board has not been changed.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971



## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees of the Alabama Institute for Deaf and Blind, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Board of Trustees of the Troy State University:

Judge Jack W. Wallace, Clayton, Alabama—From the 3rd Congressional District Succeeding Reverend Marvin K. Vickers, resigned—for the term expiring October 24, 1975.

C. J. Hartley, Tuscaloosa, Alabama—From the 5th Congressional District Replacing Dr. Charles R. Yates—for the term expiring October 24, 1971.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees of Troy State University, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the University of South Alabama Board of Trustees:

Gillis Griffin, Dothan—From the 35th Senatorial District—replacing E. L. Brantley—for the term expiring September 30, 1981.

Virginia Oglesby, Gilbertown—From the 19th Senatorial District—replacing Dr. W. F. DeShazo—for the term expiring September 30, 1981.

Ed Dannelly, Andalusia—From the 17th Senatorial District—replacing H. E. Jackson—for the term expiring September 30, 1981.

Mrs. Earl Goodwin, Selma—Reappointment from the 30th Senatorial District—for the term expiring September 30, 1981.

Aubrey Green, York—Reappointment from the 20th Senatorial District—for the term expiring September 30, 1981.

As these appointments must be confirmed by your body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the University of South Alabama Board of Trustees, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Board of Trustees of the University of Montevallo:

Mrs. Elgin R. Smilie, Montgomery, Alabama—From the 2nd Congressional District Replacing J. J. (Junie) Pierce—For term expiring in January 1983.

Arthur L. Shaw, Tuscumbia, Alabama—From the 8th Congressional District Replacing W. Van Gilbert—for the term expiring in January 1983.

Tom Stubbs, Helena, Alabama—From the State-at-Large—Replacing Joe L. Jennings—for term expiring in January 1983.

The above appointments are submitted to you for confirmation or for such action as you may deem right and proper.

Respectfully Submitted,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees of University of Montevallo, was read and referred to the Standing Committee on Rules.

#### MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Dwight Dollar of Tuscaloosa, Alabama, as a member of the Tuscaloosa County Civil Service Board for the term expiring May 15, 1973.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointment to the Tuscaloosa County Civil Service Board, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons on the State Board of Pensions and Security:

Mrs. Eileen Mann, Owens Cross Road—For the term expiring August 28, 1977.

Mrs. Margaret Nell DeGraffenreid, Tuscaloosa, Alabama—Reappointment—for the term expiring August 28, 1975.

Mrs. E. O. Walker, Tarrant City, Alabama—For the term expiring August 29, 1975—Replacing Mrs. Ruby Hardy.

Mrs. Henry Brandli, Pell City, Alabama—For the term expiring August 28, 1977—replacing James J. Bailey.

The above appointments are submitted to you for confirmation or for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

## GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Board of Pensions and Security, was read and referred to the Standing Committee on Rules.

## MESSAGE FROM THE GOVERNOR

To the Senate of Alabama  
State Capitol  
Montgomery, Alabama

Gentlemen:

Under the provisions of Act No. 14, Special Session of the 1969 Legislature, approved May 14, 1969, I have appointed the following named persons as members of the Alabama Commission of Higher Education:

Hugh Parker, Decatur—From the 8th District—for the term expiring August 31, 1979, succeeding Julian Harris—resigned.

J. Pelham Ferrell, Phenix City—From the 3rd District—for the term expiring August 31, 1971, replacing Judge C. J. Coley.

Sid McDonald, Arab—From the 7th District—for the term expiring August 31, 1972.

Robert H. Lowe, Mobile—From the State-at-Large—for the term expiring August 31, 1973, replacing Robert Nesbitt.

J. Marvin Albritton, Andalusia—From the 2nd District—for the term expiring August 31, 1974, replacing Earl McGowin.

Jim Oakley, Jr., Centerville—From the 5th District—for the term expiring August 31, 1975, replacing Dr. Lilliam C. Manley.

A. Schuyler Baker, Birmingham—From the 6th District—for the term expiring August 31, 1976, replacing Kenneth Daniels.

G. Sage Lyons, Mobile—From the 1st District—for the term expiring August 31, 1977, replacing Arthur Outlaw.

Tom Brazeal, Wedowee—From the 4th District—term expiring August 31, 1978, replacing Dan W. Gray.

As these appointments, under the provisions of the above mentioned Act, must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,  
Governor.

August 26, 1971

#### GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Alabama Commission of Higher Education, was read and referred to the Standing Committee on Rules.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 1985. To amend Subsection L of Section 214, Title 26, Chapter 4, Code of Alabama 1940, as last amended by Act No. 88, 1971 Regular Session of the Alabama Legislature, relating to denial or reduction of unemployment compensation benefits for receipt of training allowances.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce
Bailes	Givhan	Littleton	Register
Branyon	Hammond	Lybrand	Shelby
Carr	Hawkins	Malone	Vacca
Cooper	Horne	Noonan	Weaver
Edington	Jones	O'Bannon	Wilder
Fine	King	Pelham	Wilson

—27

Nays:

—0

The Bill:

S. 255. To further provide for supernumerary district attorneys.  
was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the Bill, S. B. 255, to-wit:

## SUBSTITUTE FOR S. B. 255

A BILL  
TO BE ENTITLED  
AN ACT

To further provide for supernumerary district attorneys.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to any other acts providing for eligibility of supernumerary district attorneys, any district attorney or former attorney who has served for not less than eighteen years may, when has reached the age of sixty years, elect to become a supernumerary district attorney by filing a written declaration to that effect with the Governor and time served as judge of a court of record, a county court, county solicitor or any other county-wide elected official shall be counted as time served.

Section 2. Any district attorney who has served five full terms as district attorney or as judge of a court of record, a county court, county solicitor or any other county-wide elected office may at the end of his fifth term of office elect to become a supernumerary district attorney by filing a written declaration to that effect with the governor.

Section 3. This act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

On motion of Mr. Fine, said substitute was laid on the table.

Mr. Fine then offered the following substitute for the Bill, S. B. 255, to-wit:

## SUBSTITUTE FOR S. B. 255

A BILL  
TO BE ENTITLED  
AN ACT

To further provide for supernumerary district attorneys.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to any other acts providing for eligibility of supernumerary district attorneys, or other like prosecuting officers, including County Solicitors and former County Solicitors, any person now serving or having formerly served as District Attorney or County Solicitor, who has served for not less than eighteen years may, when he has reached the age of sixty years, may elect to become a supernumerary district attorney by filing a written declaration to that effect with the Governor and time served as judge of a court of record, a county court, county solicitor or any other county-wide elected official shall be counted as time served; or any district attorney who has served five full terms as district attorney or as judge of a court of record, a county court, county solicitor or any other countywide elected office may at the end of has fifth term of office elect to become a supernumerary district attorney by filing a written declaration to that effect with the governor.

Section 2. This act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 2.

Yeas:

Messrs.:	Hammond	Lybrand	Pelham
Bailes	Hawkins	McLain	Pierce
Clark	Jones	Malone	Shelby
Dozier	King	Noonan	Vacca
Fine	Lindsey	O'Bannon	Weaver
Foshee	Littleton	Owen	Wilder
Givhan			

—24

Nays: Messrs. Branyon, Carr

—2

And said Bill, S. B. 255, as thus amended by the substitute, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 2.

Yeas:

Messrs.:	Givhan	Lindsey	Register
Bailes	Hammond	Lybrand	Shelby
Clark	Harris	McLain	Vacca
Cook	Hawkins	Noonan	Weaver
Dozier	Jones	Owen	Wilder
Fine	King	Pelham	Wilson
Foshee			

—24

Nays: Messrs. Branyon, Carr

—2

The Bill:

H. 82. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position and use of such device, and to provide a penalty for any violation of the requirements of this Act.

Was read a third time at length and passed.

Yeas 26; Nays 3.

Yeas:

Messrs.:	Edington	Lindsey	Pelham
Bailes	Fine	Littleton	Pierce
Branyon	Givhan	Lybrand	Register
Carr	Hammond	McLain	Shelby
Clark	Hawkins	Noonan	Vacca
Cook	Jones	O'Bannon	Wilder
Dominick	King	Owen	

—26

Nays:

Messrs.:	Dozier	Foshee	Harris
----------	--------	--------	--------

—3

The Bill:

H. 1073. For the relief of Vera Waldrop, making an appropriation of Mental Health Department Funds from the State Treasury to compensate her for personal injuries suffered while she was engaged in the performance of assigned duties as an attendant at Partlow School of the Alabama Mental Health Department.

Was read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Lindsey	Pierce	
Carr	Gilmore	Littleton	Register	
Clark	Givhan	Lybrand	Shelby	
Cook	Hammond	McLain	Weaver	
Dominick	Harris	Noonan	Wilder	
Dozier	Hawkins	O'Bannon		—30

Nays: —0

The Bill:

S. 1033. To amend Section 6 of Act No. 344, H. 301, approved September 5, 1955, as amended, (Acts of Alabama 1955, p. 780), which created the Fort Morgan Historical Commission so as to provide further for the salaries of the secretary and historian and the assistant secretary of the commission.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dozier	King	Owen	
Bailes	Edington	Lindsey	Pelham	
Branyon	Fine	Littleton	Register	
Carr	Foshee	Lybrand	Shelby	
Clark	Gilmore	McLain	Vacca	
Cook	Givhan	Noonan	Weaver	
Cooper	Hammond	O'Bannon	Wilder	
Dominick	Jones			—29

Nays: —0

The Bill:

S. 318. To amend Section 1 of Act No. 628, page 1082, Acts of Alabama 1951, entitled "An Act to further provide for the issuance of hunting and fishing licenses." To provide how said licenses shall be issued and by whom. To provide for disposition of the revenue derived from the sale of such licenses. To provide for a fee for the issuance of same. To repeal all laws or parts of laws in conflict herewith and for other purposes.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	King	Pelham	
Bailes	Fine	Lindsey	Pierce	
Branyon	Foshee	Littleton	Register	
Carr	Gilmore	Lybrand	Shelby	
Clark	Givhan	McLain	Vacca	
Cook	Hammond	Noonan	Weaver	
Cooper	Hawkins	O'Bannon	Wilder	
Dozier	Jones	Owen		—30

Nays: —0

The Bill:

H. 111. To authorize county or city boards of education to grant certain leaves to teachers.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Fine	King	Pelham
Bailes	Foshee	Lindsey	Pierce
Branyon	Gilmore	Littleton	Register
Carr	Givhan	Lybrand	Shelby
Clark	Hammond	McLain	Vacca
Cook	Harris	Malone	Weaver
Cooper	Hawkins	Noonan	Wilder
Dozier	Horne	O'Bannon	Wilson
Edington	Jones	Owen	

—34

Nays:

—0

The Bill:

H. 367. To amend Act No. 999 approved September 12, 1969 (Acts of Alabama 1969, Pages 1855-1866); to establish the Alabama Peace Officers Annuity and Benefits Fund; to redefine certain words and terms; to clarify the organization, operation and powers of the Board, the eligibility of members, and court cost to be imposed; to more clearly state retirement, disability, and death benefits; to provide for an actuarial study, refunds, credit for military service and to repeal all laws in conflict herewith.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Foshee	King	Owen
Bailes	Gilmore	Lindsey	Pelham
Branyon	Givhan	Littleton	Pierce
Carr	Hammond	Lybrand	Register
Clark	Harris	McLain	Shelby
Cook	Hawkins	Malone	Vacca
Dozier	Horne	Noonan	Weaver
Edington	Jones	O'Bannon	Wilder
Fine			

—32

Nays:

—0

The Bill:

S. 796. To amend Section 2(d), (g), 17(a), and 27 of the Securities Act of Alabama (Acts 1959, V. 2, p. 1318, et seq., Act No. 542, Regular Session 1959 as amended by Acts 605 and 740, 1969 Regular Session) so as to further provide for the registration of securities dealers and salesmen, to provide for a change in the statute of limitations for violations of this act, and to further provide for the disposition of revenues collected by the Securities Commission.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.



Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Noonan
Bailes	Edington	Horne	O'Bannon
Branyon	Fine	Jones	Pelham
Carr	Foshee	King	Pierce
Clark	Gilmore	Lindsey	Register
Cook	Givhan	Littleton	Vacca
Cooper	Hammond	Lybrand	Weaver
Dominick	Harris	McLain	Wilder

—31

Nays:

—0

The Bill:

S. 797. Relating to Securities; providing for the assessment of fees by the Securities Commission upon application for exemptions under the Provisions of Act No. 542, Regular Session, 1959 (Acts 1959, Page 1318, as amended).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Gilmore	Littleton	Register
Cook	Hammond	Lybrand	Weaver
Cooper	Harris	McLain	Wilder
Dominick	Hawkins	Malone	Wilson
Dozier	Horne	Noonan	

—30

Nays:

—0

The Bill:

H. 790. Authorizing a special referendum to determine the classification of counties as wet or dry counties, which would provide a series of special rules governing the sale of alcoholic beverages in wet counties in addition to those provided in the general law.

Was read a third time at length and passed.

Yeas 25; Nays 4.

Yeas:

Messrs.:	Gilmore	Lybrand	Pelham
Bailes	Harris	McLain	Pierce
Carr	Hawkins	Malone	Register
Clark	Jones	Noonan	Shelby
Cook	King	O'Bannon	Vacca
Cooper	Lindsey	Owen	Wilder
Edington	Littleton		

—25

Nays:

Messrs.:			
Branyon	Fine	Givhan	Wilson

—4

The Bill:

S. 343. To provide for the issuance of special license tags to members of the Alabama Jaycees.

was taken up.

Mr. Littleton offered the following amendment to the Bill, S. B. 343, to-wit:

#### AMENDMENT TO S. B. 343:

In Section 1, Line 8, after the word "law," insert the words "plus \$1.00."

Which was adopted.

Yeas 29; Nays 3.

Yeas:

Messrs.:	Edington	Jones	Noonan
Bailes	Finc	King	Owen
Branyon	Foshee	Lindsey	Pelham
Carr	Givhan	Littleton	Vacca
Clark	Hammond	Lybrand	Weaver
Cook	Harris	McLain	Wilder
Cooper	Hawkins	Maione	Wilson
Dozier	Horne		

—29

Nays:

Messrs.:	Dominick	Gilmore	Register
----------	----------	---------	----------

—3

Mr. Bailes offered the following amendment to the Bill, S. B. 343, as amended, to-wit:

#### AMENDMENT TO S. B. 343:

Add after "Jaycees", "Nobles of the Mystic Shrine".

Which was adopted.

Yeas 25; Nays 5.

Yeas:

Messrs.:	Foshee	McLain	Pierce
Bailes	Gilmore	Malone	Shelby
Branyon	Givhan	Noonan	Vacca
Cook	Hammond	O'Bannon	Weaver
Dozier	Hawkins	Owen	Wilder
Edington	Jones	Pelham	Wilson
Fine	Lybrand		

—25

Nays:

Messrs.:	Dominick	Lindsey	Littleton
Carr	Harris		

—5

On motion of Mr. Littleton, further consideration of the Bill, S. B. 343, as amended, was carried over temporarily.

The Bill:

S. 963. To be known as the Alabama Limited Partnership Act, relating to the law of limited partnerships and limited partnership property, including with respect thereto definition of terms, rules of construction, rules for cases not provided for in this Act, provisions for existing limited partnerships, definition of limited partnerships, formation, business which may be carried on, character of limited partner's contribution, limited partnership name, liability for false statements in certificate, limited partner not liable to creditors, limited partner shall not act as agent, admission of additional limited partners, rights, powers and liabilities of a general partner, rights of a limited partner, status of person erroneously believing himself a limited partner, one person both general and limited partner, loans and other business transactions with limited partner, relation of limited partners inter se, compensation of limited partner, withdrawal or reduction of limited partner's contribution, liability of limited partner to partnership, nature of limited partner's interest in partnership, assignment of limited partner's interest, effect of retirement, death, insanity or mental incapacity of a general partner, death of a limited partner, the rights of creditors of limited partners, distribution of assets, when certificate shall be cancelled or amended, requirements for amendment and for cancellation of certificate, parties to actions; to repeal Sections 6-27, both inclusive, Title 43, Code of Alabama 1940, and all acts amendatory thereof, except as affecting existing limited partnerships to the extent set forth in Section 5 of this Act, and other inconsistent legislation.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen	
Bailes	Edington	Jones	Register	
Branyon	Fine	King	Shelby	
Carr	Foshee	Lindsey	Vacca	
Clark	Gilmore	Lybrand	Weaver	
Cook	Givhan	Noonan	Wilder	
Cooper	Harris	O'Bannon	Wilson	
Dominick	Hawkins			—29

Nays: —0

#### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Jones, further consideration of the Bill, S. B. 498, was indefinitely postponed.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 1235. To make additional appropriations to the Board of Corrections for the fiscal year ending September 30, 1971.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Jones	Owen
Bailes	Fine	King	Pelham
Branyon	Foshee	Lindsey	Pierce
Carr	Gilmore	Littleton	Register
Clark	Givhan	Lybrand	Shelby
Cook	Harris	McLain	Vacca
Cooper	Hawkins	Noonan	Weaver
Dominick	Horne	O'Bannon	Wilder
Dozier			

—32

Nays:

—0

The Bill:

H. 222. To regulate further arrests at the scene of a traffic accident; to authorize certain uniformed law enforcement officers to make arrests at such scenes without a warrant under certain conditions and circumstances.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs.:	Dozier	Givhan	McLain
Bailes	Edington	Hawkins	Noonan
Branyon	Fine	Horne	Register
Clark	Foshee	Jones	Vacca
Cooper	Gilmore	Lybrand	Weaver
Dominick			

—20

Nays:

Messrs.:	Harris	O'Bannon	Pierce
Carr	Lindsey	Pelham	Wilson
Cook			

—8

Mr. Weaver moved that the Senate reconsider the vote by which the Bill, H. B. 222, passed.

On motion of Mr. Register, the motion to reconsider was laid on the table.

The Bill:

H. 506. To amend further Section 1 of Act No. 47, Special Session 1961, (Acts 1961, p. 1904) as amended, which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to the Elks Memorial Center.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dozier	Harris	Noonan
Bailes	Edington	Hawkins	O'Bannon
Branyon	Fine	Jones	Register
Carr	Foshee	Lindsey	Shelby
Clark	Gilmore	Littleton	Vacca
Cook	Givhan	Lybrand	Wilder
Cooper	Hammond	Malone	

—26

Nays:

—0

**The Bill:**

H. 970. Relating to Livingston University, a state educational institution, formerly named Livingston State College: To amend Sections 1, 2, 3, 4, 6 and 7 of Act No. 424, H. 541, Regular Session 1967 (Acts 1967, p. 1092), which created a board of trustees of Livingston State College, so as to increase the membership of the board of trustees, to provide further for meetings of the board and of its committees, to provide further for the powers and duties of the board, to prescribe a quorum of the board, to forbid members of the board and the chief executive officer of the University from engaging in certain activities and to ratify and confirm certain acts of the board of trustees and of the executive officer which have been heretofore done.

Was read a third time at length and passed.

Yeas 19; Nays 4.

**Yeas:**

Messrs.:	Foshee	Lybrand	Register	
Bailes	Givhan	Malone	Shelby	
Cook	Harris	Owen	Vacca	
Cooper	Jones	Pelham	Weaver	
Dozier	Lindsey	Pierce	Wilder	—19

**Nays:**

Messrs.:				
Branyon	Dominick	King	O'Bannon	—4

**The Bill:**

S. 1142. To amend Code of Alabama, 1940, Title 5, Section 131, so as to authorize and approve the use of automatic unmanned cash dispensing machines by banks on each day of the week including Sunday.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 29; Nays 0.

**Yeas:**

Messrs.:	Dozier	Horne	Owen	
Bailes	Edington	Jones	Pelham	
Branyon	Fine	Lindsey	Pierce	
Carr	Foshee	Littleton	Register	
Clark	Gilmore	McLain	Shelby	
Cook	Hammond	Malone	Vacca	
Cooper	Harris	O'Bannon	Wilder	
Dominick	Hawkins			—29

**Nays:**

—0

**The Bill:**

H. 129. To amend Section 26 of Act No. 987 of the General Acts of Alabama 1969, now codified as Title 13, Section 111 (25), Code of Alabama 1940, recompiled 1958, to fix the compensation of the clerk of the Court of Criminal Appeals, to fix the compensation of the assistant clerk of the Court of Criminal Appeals.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	Jones	Pelham
Bailes	Foshee	Lindsey	Pierce
Clark	Gilmore	McLain	Register
Cook	Givhan	Malone	Shelby
Cooper	Hammond	Noonan	Vacca
Dozier	Hawkins	O'Bannon	Wilder
Edington	Horne	Owen	

—26

Nays:

—0

The Bill:

S. 859. To provide that members of the Enforcement Division of the Public Service Commission designated in writing by the Public Service Commission shall have the powers of peace officers in this State and may exercise such powers anywhere within the State.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dozier	Horne	Owen
Bailes	Edington	Jones	Pelham
Branyon	Fine	King	Pierce
Carr	Givhan	Littleton	Register
Clark	Hammond	Malone	Shelby
Cooper	Harris	Noonan	Vacca
Dominick	Hawkins	O'Bannon	Wilder

—27

Nays:

—0

The Bill:

S. 1002. To further provide for the administration of Sections 1901 through 1908 of the Federal Social Security Act by the State Health Department.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen
Bailes	Foshee	Lindsey	Pelham
Branyon	Gilmore	Littleton	Pierce
Carr	Givhan	Lybrand	Register
Clark	Harris	McLain	Shelby
Dominick	Hawkins	Malone	Vacca
Dozier	Horne	Noonan	Wilder
Edington	Jones	O'Bannon	

—30

Nays:

—0

The Bill:

H. 844. To provide that the disability or death of a municipal law enforcement officer or state trooper caused by hypertension, heart

disease or respiratory disease shall be considered as a service connected disability or death, subject to certain conditions prescribed in the Act, within the meaning of any laws which provide benefits for municipal law enforcement officers or state troopers who while employed by a municipality, are disabled in the line of duty or for the widow, children or other dependents of city policemen or other municipal law enforcement officers or state troopers who, while employed by a municipality, are killed in the line of duty.

Was read a third time at length and passed.

Yeas 30; Nays 0.

*Yeas:*

Messrs.:	Edington	Horne	Noonan	
Bailes	Fine	Jones	O'Bannon	
Branyon	Foshee	King	Pelham	
Clark	Gilmore	Lindsey	Pierce	
Cook	Givhan	Littleton	Register	
Cooper	Hammond	Lybrand	Shelby	
Dominick	Harris	McLain	Vacca	
Dozier	Hawkins	Malone		—30

*Nays:* —0

The Bill:

S. 1051. To amend Act No. 1049, S. 8, Legislature of 1969 (Regular Session), approved September 12, 1969 (Acts of 1969, Vol. III, pp. 1939-1965), an Act to provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution within this State; etc., by amending Section 1 (k), Section 1 (1) (5) and Sections 2, 7 (c), 10 (c), 15 and 16 (a) of said Act to the end that the requirements of said Act will be at least equal to requirements imposed by the provisions of the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

*Yeas:*

Messrs.:	Dozier	Hawkins	Noonan	
Bailes	Edington	Horne	O'Bannon	
Branyon	Fine	Jones	Owen	
Carr	Foshee	King	Pelham	
Clark	Gilmore	Lindsey	Register	
Cook	Givhan	Littleton	Shelby	
Cooper	Hammond	McLain	Vacca	
Dominick	Harris	Malone	Weaver	

—31

*Nays:* —0

#### CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Lybrand, further consideration of the Bill, S. B. 592, was indefinitely postponed.

## BILLS ON THIRD READING RESUMED

The Bill:

H. 379. To amend Section 666, Title 7, Code of Alabama, Re-compiled 1958, relating to amount of wages or salary exempt from estate of deceased employee.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	McLain	
Bailes	Edington	Horne	Noonan	
Branyon	Fine	Jones	O'Bannon	
Carr	Foshee	King	Owen	
Clark	Gilmore	Lindsey	Register	
Cook	Givhan	Littleton	Shelby	
Cooper	Hammond	Lybrand	Vacca	
Dominick	Harris			—29

Nays:

—0

The Bill:

S. 174. To amend Act Number 657, Regular Session Alabama Legislature, 1965, pertaining to the appointment of deputy district attorneys for the Fifteenth Judicial Circuit of Alabama and their salaries.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Noonan	
Bailes	Fine	Jones	O'Bannon	
Branyon	Foshee	King	Pelham	
Clark	Gilmore	Lindsey	Pierce	
Cook	Givhan	Littleton	Register	
Cooper	Hammond	Lybrand	Shelby	
Dominick	Harris	McLain	Vacca	
Dozier	Hawkins	Malone	Weaver	
				—31

Nays:

—0

The Bill:

H. 287. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

Was read a third time at length as required by the Constitution, and passed.



Yeas 33; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon	
Bailes	Fine	King	Owen	
Branyon	Foshee	Lindsey	Pelham	
Carr	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dominick	Hawkins	Noonan	Weaver	
Dozier	Horne			—33

Nays: —0

The Bill:

H. 1039. To amend Section 4 of Act Number 205 1966, Special Session to provide actual and necessary expenses for members of the Board of Pharmacy while engaged in the performance of duties of the Board and to provide payment for relief pharmacist.

Was read a third time at length and passed.

Yeas 31; Nays 1.

Yeas:

Messrs.:	Edington	Horne	O'Bannon	
Bailes	Fine	Jones	Owen	
Branyon	Foshee	King	Pelham	
Carr	Gilmore	Lindsey	Pierce	
Clark	Givhan	Littleton	Register	
Cook	Hammond	McLain	Shelby	
Cooper	Harris	Malone	Vacca	
Dozier	Hawkins	Noonan	Weaver	
				—31

Nays: Mr. Lybrand —1

#### CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Pelham, further consideration of the Bill, S. B. 461, was indefinitely postponed.

On motion of Mr. Noonan, further consideration of the Bill, S. B. 333, was indefinitely postponed.

On motion of Mr. Lindsey, further consideration of the Bills, S. B.'s 398, 273, 133 and 801, was indefinitely postponed.

On motion of Mr. Register, further consideration of the Bills, S. B.'s 474 and 484, was indefinitely postponed.

On motion of Mr. King, further consideration of the Bills, S. B.'s 320 and 321, was indefinitely postponed.

#### BILLS ON THIRD READING RESUMED

The Bill:

H. 317. To make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors for special investigators, investigations, travel and other necessary expenses incurred in investigations and enforcement of the law.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Fine	Horne	Noonan
Bailes	Foshee	Jones	O'Bannon
Branyon	Gilmore	King	Owen
Clark	Givhan	Lindsey	Pelham
Cook	Hammond	Littleton	Pierce
Cooper	Harris	McLain	Register
Dominick	Hawkins	Malone	Weaver
Dozier			

—28

Nays:

—0

The Bill:

H. 262. To provide a Uniform Standards Code for the construction of Mobile Homes to be sold within this State; prescribing certain licenses and the fees therefor; providing for the administration and enforcement of the provisions of this Act; prescribing penalties for the violation of the provisions hereof.

was taken up.

The Standing Committee on Commerce, Transportation and Common Carriers reported the following amendment to the Bill, H. B. 262, to-wit:

#### AMENDMENT TO HOUSE BILL 262

Amend Section 2. B of House Bill 262 by striking the words "American Standards Association (ASA), now reconstituted as the United States of America Standards Institute (USASI)" wherever it appears therein and inserting in lieu thereof the words "American National Standards Institute (ANSI)".

Further amend House Bill 262 as follows:

Amend Section 3. A of House Bill 262 by striking the words "Book A-119.1-1969 and NFPA No. 501-B.—1968, both published by the National Fire Protection Association" wherever it appears therein and inserting in lieu thereof the words "ANSIA-119.1—1971 and NFPA No. 501-B—1971 entitled Standards For Mobile Homes".

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Edington	Horne	Noonan
Bailes	Fine	Jones	O'Bannon
Branyon	Foshee	King	Owen
Carr	Gilmore	Lindsey	Pelham
Clark	Givhan	Littleton	Pierce
Cook	Hammond	Lybrand	Register
Cooper	Harris	McLain	Shelby
Dominick	Hawkins	Malone	Weaver
Dozier			

—32

Nays:

—0

And said Bill, H. B. 262, as thus amended, was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dozier	Hawkins	Malone
Bailes	Edington	Horne	Noonan
Branyon	Fine	Jones	O'Bannon
Carr	Foshee	King	Owen
Clark	Gilmore	Lindsey	Pelham
Cook	Givhan	Littleton	Shelby
Cooper	Hammond	Lybrand	Vacca
Dominick	Harris	McLain	Weaver

—31

Nays:

—0

The Bill:

H. 137. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

was taken up.

Mr. Dominick offered the following substitute for the Bill, H. B. 137, to-wit:

#### SUBSTITUTE FOR H. B. 137

#### A BILL TO BE ENTITLED AN ACT

Relating to domestic relations, particularly to marriage and divorce; prescribing the style of proceedings relative to domestic relations; prescribing the effect of a divorce decree; and providing for an additional ground of divorce by amending Code of Alabama 1940, Title 34, Section 20.

Be It Enacted by the Legislature of Alabama:

Section 1. When a divorce decree is entered, in effect, it is awarded to both parties to the marriage.

Section 2. Code of Alabama 1940, Title 34, Section 20, as amended is hereby further amended to read as follows:

"Section 20. DIVORCE; BY WHAT COURT, AND ON WHAT GROUNDS GRANTED. (a) The Circuit Court in equity has power to divorce persons from the bonds of matrimony, upon a petition filed by one of the parties, entitled "In re the marriage of \_\_\_\_\_ and \_\_\_\_\_", for the causes following: 1. In favor of either party, when the other was, at the time of the marriage physically and incurably incapacitated from entering into the marriage state. 2. For adultery. 3. For voluntary abandonment from bed and board for one year next preceding the filing of the bill. 4. Imprisonment in the penitentiary of this or any other state, for two years, the sentence being for seven years or longer. 5. The commission of the crime against nature, whether with mankind or beast, either before or after marriage. 6. For becoming addicted after marriage to habitual drunkenness or to habitual use of opium, morphine, cocaine or other like drug. 7. In favor of either party, when the other, after marriage, shall have been confined in an insane asylum for a period of five successive years; if such party from whom a divorce is sought is hopelessly and incurably

insane at the time of the filing of the bill. Provided, however, that the superintendent of the insane asylum in which such person is confined shall make a certified statement, under oath, that it is his opinion and belief, after a complete and full study and examination of such person, that such person is hopelessly and incurably insane. 8. Upon application of either party, when the court finds there has been an irretrievable breakdown of the marriage and that further attempts at reconciliation are impractical or futile and not in the best interest of the parties or family.

Section 3. The provisions of the Code of Alabama 1940, Title 34, Section 20, as hereinabove amended, shall repeal and supersede the provisions of such section as heretofore amended in this current session, provided, that proceedings begun under Ground Seven provided by Act No. 222, 1971 Regular Session, shall be construed as having been filed pursuant to Ground Eight set forth hereinabove.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 2.

Yeas:

Messrs.:	Dozier	Hawkins	O'Bannon	
Bailes	Edington	Horne	Owen	
Carr	Foshee	Jones	Pelham	
Clark	Gilmore	Lindsey	Register	
Cook	Hammond	Lybrand	Shelby	
Cooper	Harris	Noonan	Vacca	
Dominick				—24

Nays: Messrs. Branyon, Fine —2

And said Bill, H. B. 137, as thus amended by the substitute, was read a third time at length and passed.

Yeas 27; Nays 2.

Yeas:

Messrs.:	Dozier	Horne	Noonan	
Bailes	Edington	Jones	O'Bannon	
Carr	Foshee	King	Pelham	
Clark	Gilmore	Lindsey	Pierce	
Cook	Givhan	Littleton	Register	
Cooper	Hammond	Lybrand	Shelby	
Dominick	Harris	Malone	Vacca	
				—27

Nays: Messrs. Branyon, Fine —2

The Bill:

S. 686. To authorize and direct the State Capitol Preservation Commission to organize, supervise, conduct and make a report of and recommendations based on a thorough and complete study of the State Capitol, its history, its architecture and its structural condition, with a view toward determining whether the public safety is endangered by its condition and the feasibility of restoring the central portion thereof to its 1851-1861 condition, of restoring other portions thereof

to their original condition or their condition in some other appropriate era and also determining the most suitable and appropriate use to be made of such restored portion or portions of the Capitol; and to make an appropriation therefor.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Edington	Horne	O'Bannon	
Bailes	Fine	Jones	Owen	
Branyon	Foshee	King	Pelham,	
Carr	Gilmore	Littleton	Pierce	
Clark	Givhan	Lybrand	Register	
Cooper	Hammond	McLain	Shelby	
Dominick	Harris	Malone	Vacca	
Dozier	Hawkins	Noonan		—30

Nays:

—0

The Bill:

S. 860. To amend Section 301 (17) F. of Title 48, Code of Alabama (1940), which places the burden of proof upon the carrier when proposing a change in any rate fare, charge or classification, rule, regulation or practice.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dozier	Jones	Owen	
Bailes	Fine	King	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Hammond	Malone	Shelby	
Cook	Harris	Noonan	Vacca	
Cooper	Horne	O'Bannon		—27

Nays:

—0

#### FURTHER CONSIDERATION OF S. B. 343

On motion of Mr. Bailes, the Senate reconsidered the vote by which the Bailes amendment to the Bill, S. B. 343, as amended was adopted.

On motion of Mr. Bailes, said amendment was laid on the table.

Mr. Littleton offered the following amendment to the Bill, S. B. 343, as amended, to-wit:

#### AMENDMENT TO S. B. 343

In section 1, line 8, after the word "law", insert the words and figures "Five Dollars (\$5.00)."

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Fine	King	Owen	
Bailes	Foshee	Lindsey	Pelham	
Branyon	Givhan	Littleton	Pierce	
Carr	Hammond	Lybrand	Register	
Cook	Harris	Malone	Shelby	
Cooper	Horne	Noonan	Vacca	
Dozier	Jones	O'Bannon		—26

Nays:

—0

And said Bill, S. B. 343, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 1.

Yeas:

Messrs.:	Edington	King	O'Bannon	
Bailes	Fine	Lindsey	Pelham	
Branyon	Foshee	Littleton	Pierce	
Carr	Givhan	Lybrand	Register	
Clark	Hammond	McLain	Shelby	
Cook	Horne	Malone	Vacca	
Cooper	Jones	Noonan	Weaver	
Dozier				—28

Nay: Mr. Dominick

—1

#### REQUEST FOR RETURN OF BILLS

Mr. Fine moved that the House be requested to return to the Senate for further consideration the Bill:

H. 1726. To repeal Act No. 665, H. 744, approved August 29, 1969, Regular Session 1969 (Acts 1969, p. 1186), entitled, "An Act Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county."

Which motion was adopted.

Mr. Fine moved that the House be requested to return to the Senate for further consideration the Bill:

H. 1718. To amend the title and Section 1 of Act No. 1182, H. 1320, Regular Session 1969 (Acts 1969, p. 2211), which provides for the qualifications of the superintendent of education in certain counties classified on a population basis.

Which motion was adopted.

#### NOTICE IN WRITING

Mr. Cook offered the following Notice in Writing, to-wit:

#### NOTICE IN WRITING

Notice is hereby given that on the next legislative day, a motion in writing will be introduced to amend Senate Rule 46 by striking therefrom "18. Public Buildings and Grounds. 9 members" and sub-

stituting in lieu thereof the following: "18. Governmental Operations. 9 members"

On motion of Mr. Cook, said Notice in Writing was read and ordered spread upon the Journal.

### BILLS ON THIRD READING RESUMED

The Bill:

H. 1004. To amend Subsection I of Section 204, Subsections A, B and D of Section 216, Section 217, Subsection A of Section 218, and Subsection C and Paragraph (1) of Subsection E of Section 240, Title 26, Chapter 4, Code of Alabama 1940, as last amended, relating to transfer of tax rating experience to a successor employer, claim determinations and redeterminations, hearing and decision of disputed claims, assessment of delinquent contributions, and execution, levy and sale for contributions; all relating to unemployment compensation.

Was read a third time at length and passed.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Edington	Jones	O'Bannon
Bailes	Fine	King	Owen
Branyon	Foshee	Lybrand	Pelham
Carr	Hammond	McLain	Pierce
Cooper	Harris	Malone	Register
Dozier	Hawkins	Noonan	Vacca

—23

Nays:

—0

### MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 681. To fix the salaries to be paid the members of the County Commission of Montgomery County, Alabama, and to regulate the payment of same, to provide for the clerical help and other assistance to said officers and the manner of fixing their compensation and paying the same and to provide rules and regulations of the conduct of said officers.

JOHN W. PEMBERTON,  
Clerk.

### HOUSE MESSAGE

On motion of Mr. Jones, the Senate non-concurred in the following House amendment to the Bill, S. B. 681, the title of which is set out in the foregoing Message from the House, to-wit:

### AMENDMENT TO S. B. 681

Amend Senate Bill 681 in Section 1 by deleting the figures "\$7,600.00" and substituting therefor the figures "\$6,300.00" and by deleting the figures "\$6,400.00" and substituting therefor the figures "\$5,700.00".

Further amend in Section 5 by deleting the period at the end of the paragraph, substituting a comma, and adding the following: “, this shall be in lieu of all expenses now being paid the said commissioners.”

and requested a Committee on Conference.

Yeas 25; Nays 0.

Yeas:

Messrs.:	Foshee	Lindsey	Pierce	
Clark	Gilmore	McLain	Shelby	
Cook	Givhan	Malone	Vacca	
Cooper	Hammond	Noonan	Weaver	
Dominick	Harris	O'Bannon	Wilder	
Dozier	Hawkins	Owen	Wilson	
Fine	Jones			—25

Nays: —0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Jones, Pierce and Wilder.

### RESOLUTION

The Rules Committee offered the following Senate Resolution, to-wit:

**S. R. 95. RESOLVED BY THE SENATE** That the following Bills shall be the paramount and continuing order of business for the Thirty-first and Thirty-second Legislative Days only:

Bill No.	Page
1. H. B. 50	2—(32nd Legislative Day as unfinished business)
2. S. B. 871	110—D. A. 14th Circuit
3. H. B. 451	159—Oil severance tax redistribution
4. S. B. 256	165—D. A. expenses
5. H. B. 894	130—Pesticide bill
6. S. B. 146	70—City bond bill
7. H. B. 143	99—Regulations and compensation for warranty work
8. S. B. 1134	150—Nuclear fuel exemption
9. H. B. 37	132—Hunting license
10. H. B. 39	134—Fishing License
11. H. B. 315	36—Recorder's court appeal
12. S. B. 381	40—Narcotics division attorney
13. S. B. 1031	167—Forestry
14. S. B. 332	92—Formation of new political parties
15. H. B. 495	209—Bank par bill
16. S. B. 998	210—Personalized tags



- |               |  |
|---------------|--|
| 17. S. B. 389 | 23—Personalized tags                           |
| 18. H. B. 77  | 135—Addition voting returns for probate judges |
| 19. H. B. 127 | 64—Mileage allowance for legislators           |
| 20. H. B. 128 | 64—Mileage allowance for legislators           |
| 21. H. B. 258 | 213—Appropriation for office of Attorney Gen.  |
| 22. S. B. 684 | 69—Governor's mansion advisory board           |
| 23. S. B. 808 | 143—   |
| 24. H. B. 664 | 142—Justice of the Peace                       |
| 25. H. B. 665 | 142—Justice of the Peace                       |
| 26. H. B. 825 | 144—Justice of the Peace                       |
| 27. H. B. 359 | 123—Public facility standards                  |
| 28. S. B. 459 | 67—Youth Council                               |

## ADJOURNMENT

At 11:03 P. M., on motion of Mr. Cooper, pending further consideration of the Resolution, S. R. 95, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, August 31, 1971, at 8 o'clock A. M.

---

